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U.S. Department of Homeland Security
U. S. Citizenship and Immigration Services
Office of Administrative Appeals MS 2090
Washington, DC 20529-2090



U.S. Citizenship
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File: [REDACTED] Office: KENDALL, FLORIDA
MSC 05 320 23144

Date: FEB 01 2010

IN RE: Applicant: [REDACTED]

Application: Application for Permanent Residence Pursuant to Section 1 of the Cuban Adjustment Act of
November 2, 1966 (P.L. 89-732)

ON BEHALF OF PETITIONER;

SELF-REPRESENTED

INSTRUCTIONS:

This is the decision of the Administrative Appeals Office in your case. All documents have been returned to
the office that originally decided your case. Any further inquiry must be made to that office.

Perry Rhew
Chief, Administrative Appeals Office

DISCUSSION: The application was denied by the Field Office Director, Kendall, Florida, and the matter is now before the Administrative Appeals Office (AAO) on appeal. The appeal will be rejected.

The applicant is a native and citizen of Cuba who filed this application for adjustment of status to that of a lawful permanent resident under section 1 of the Cuban Adjustment Act (CAA) of November 2, 1966. The director denied the application on September 10, 2009, and the applicant filed an appeal from that denial. The AAO does not have appellate jurisdiction over an appeal from the denial of an application for adjustment of status.

The regulation at 8 C.F.R. § 245.2(a)(5)(iii) states, in pertinent part:

Under the Act of November 2, 1966. [N]o appeal lies from the denial of an application by the director

As the AAO does not have appellate jurisdiction over an appeal from the denial of an application for adjustment of status pursuant to section 1 of the CAA, the appeal must be rejected.

ORDER: The appeal is rejected.