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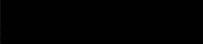
**U.S. Department of Homeland Security**  
U. S. Citizenship and Immigration Services  
*Office of Administrative Appeals*, MS 2090  
Washington, DC 20529-2090



**U.S. Citizenship  
and Immigration  
Services**

A2



File  Office: MIAMI, FLORIDA Date:  
MSC 06 074 27103

**JAN 27 2010**

IN RE: Applicant: 

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 APPLICANT:



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.

A handwritten signature in black ink, appearing to read "Perry Rhew".

Perry Rhew  
Chief, Administrative Appeals Office

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

The applicant is a native and citizen of the Dominican Republic 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 applicant is seeking classification as the child of his step-father who is a national of Cuba. The director denied the application on July 23, 2009, and the applicant filed an appeal from that denial.

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, but the applicant, if not an arriving alien, retains the right to renew his or her application in proceedings under 8 C.F.R. part 240.

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.