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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

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A2

FILE:

Office: HIALEAH FIELD OFFICE

Date:

**MAR 12 2010**

IN RE:

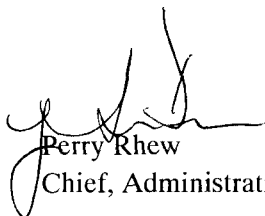
Applicant:

APPLICATION: Application for Adjustment of Status to that of Person Admitted for Permanent Residence  
under Section 1 of the Cuban Refugee 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.

  
Perry Rhew  
Chief, Administrative Appeals Office

**DISCUSSION:** The application was denied by the Field Office Director, Hialeah, 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 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 August 10, 2009, and the applicant, through counsel, 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 . . . .

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.