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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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[Redacted]

File:

[Redacted]

Office: MIAMI DISTRICT OFFICE

Date:

MAR 09 2010

IN RE:

Applicant:

[Redacted]

Application: Application for Advance Permission to Return to an Unrelinquished Domicile Pursuant to
8 C.F.R. § 212.3

ON BEHALF OF APPLICANT:

[Redacted]

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 District Director, Miami, Florida, and the matter is now before the Administrative Appeals Office (AAO) on appeal. The appeal will be rejected.

The record reflects that the applicant is a native and citizen of Cuba. On July 25, 2007, the applicant filed a Form I-191 seeking advance permission to return to an unrelinquished domicile pursuant to 8 C.F.R. § 212.3. On May 6, 2008, the director denied the applicant's Form I-191, and counsel submitted an appeal from that denial.

The regulation at 8 C.F.R. § 212.3 states, in pertinent part:

(c) Decision of the District Director. [N]o appeal shall lie from denial of the application

The AAO has no jurisdiction to review denials of applications for advance permission to return to an unrelinquished domicile pursuant to 8 C.F.R. § 212.3. Accordingly, the appeal must be rejected.

ORDER: The appeal is rejected.