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

41

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FILE:

Office: CALIFORNIA SERVICE CENTER

Date: **AUG 10 2006**

IN RE:

Applicant:



APPLICATION: Application for Status as a Temporary Resident pursuant to Section 245A of the Immigration and Nationality Act, as amended, 8 U.S.C. § 1255a

ON BEHALF OF APPLICANT:



INSTRUCTIONS:

This is the decision of the Administrative Appeals Office in your case. The file has been returned to the service center that processed your case. If your appeal was sustained, or if your case was remanded for further action, you will be contacted. If your appeal was dismissed, you no longer have a case pending before this office, and you are not entitled to file a motion to reopen or reconsider your case.

Robert P. Wiemann, Chief  
Administrative Appeals Office

**DISCUSSION:** The termination of temporary resident status the Director, Western Service Center, is now before the Administrative Appeals Office (AAO) on appeal. The appeal will be rejected.

The director determined that the applicant was ineligible to adjust to temporary resident status pursuant to 8 C.F.R. § 245a.3(b)(3) because he had been convicted of six misdemeanors in the United States. *See* section 245A(b)(1)(C)(ii) of the Immigration and Nationality Act (Act). The director further determined that the applicant had failed to assist the Immigration and Naturalization Service or the Service (now Citizenship and Immigration Services of CIS) as required under 8 C.F.R. § 245a.3(g)(5), because he had not provided requested court documents relating to his criminal history. Therefore, the director terminated the applicant's temporary resident status.

The regulation at 8 C.F.R. § 103.2(a)(1) provides, in part, that “[e]very application, petition, appeal, motion, request ... shall be executed and filed in accordance with the instructions on the form, such instructions ... being hereby incorporated into the particular section of the regulations in this chapter requiring its submission.” *See* 8 C.F.R. § 103.2(a)(7)(i). The bottom portion of the Form I-694, Notice of Appeal, requires a signature on the form when the decision is appealed.

The Form I-694 was not signed by either counsel or the applicant. Therefore, the appeal has not been properly filed, and must be rejected.

**ORDER:** The appeal is rejected.