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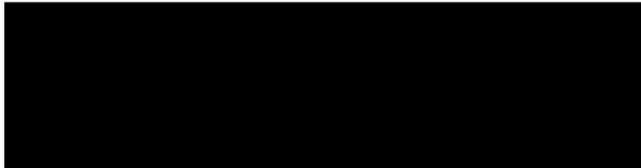
U.S. Department of Homeland Security  
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Washington, D.C. 20529



U.S. Citizenship  
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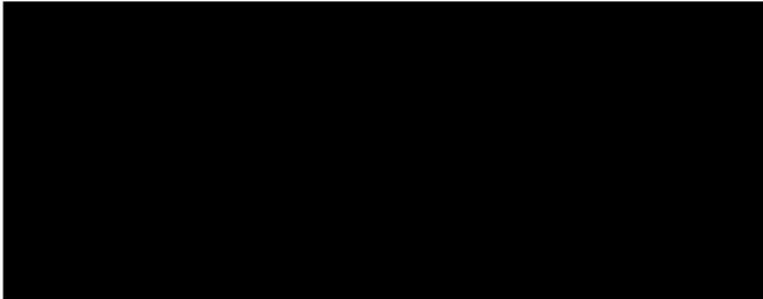
Office: VERMONT SERVICE CENTER

Date:

OCT 04 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: 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.

Robert P. Wiemann, Chief  
Administrative Appeals Office

**DISCUSSION:** The application for temporary resident status denied by the Director, Eastern Regional Processing Facility, and is now before the Administrative Appeals Office on appeal. The appeal will be rejected.

The district director concluded that the applicant had been convicted of at least three misdemeanors in the United States, and accordingly, denied the application.

An adverse decision on an application for temporary resident status may be appealed to the Administrative Appeals Office. Any appeal shall be submitted to the Service Center with the required fee within thirty (30) days after service of the Notice of Denial. An appeal received after the thirty-day period has tolled will not be accepted. *See* 8 C.F.R. § 245a.2(p). Whenever a person has the right or is required to do some act within a prescribed period after the service of a notice upon him and the notice is served by mail, three days shall be added to the prescribed period. Service by mail is complete upon mailing. 8 C.F.R. § 103.5a(b).

The director issued a Notice of Denial on June 30, 1989, and mailed it to the applicant's address of record. The applicant dated the appeal March 11, 2001, and it was received by the Vermont Service Center on March 14, 2001, over 11 years after the decision was issued. Accordingly, the appeal was untimely filed, and must be rejected.

**ORDER:** The appeal is rejected.