



U.S. Citizenship
and Immigration
Services

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LI

FILE: [REDACTED]
XLI 87 078 0051

Office: NEBRASKA SERVICE CENTER

Date: MAR 21 2007

IN RE: Applicant: [REDACTED]

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. All documents have been returned to the office that originally decided 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 application for temporary resident status was denied by the Director, Northern Regional Processing Facility. A subsequent appeal was dismissed by the Director, Legalization Appeals Unit (LAU), now Administrative Appeals Office (AAO). Two subsequent appeals were rejected, first by the LAU and second by the Nebraska Service Center. The applicant has now filed another appeal to the AAO. The appeal will be rejected.

Section 245a(f)(3) of the Act, 8 U.S.C. § 1255a, states the Attorney General shall establish an appellate authority to provide for a *single* level of administrative appellate review of a determination respecting an application for adjustment of status in the legalization program. That appellate authority, the Administrative Appeals Office, formerly Legalization Appeals Unit, has already conducted its appellate review of this matter and dismissed the appeal. There is no basis upon which the applicant may simply file another appeal.

Furthermore, pursuant to 8 C.F.R. § 245a(2)(q), motions to reopen a temporary resident status proceeding or reconsider a decision shall not be considered.

ORDER: The appeal is rejected.