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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

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U.S. Citizenship
and Immigration
Services

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[REDACTED]

FILE: [REDACTED] Office: NATIONAL BENEFITS CENTER

Date:

IN RE: Applicant: [REDACTED]

JAN 26 2011

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

ON BEHALF OF APPLICANT:

[REDACTED]

INSTRUCTIONS:

This is the decision of the Administrative Appeals Office in your case. If your appeal was dismissed or rejected, all documents have been returned to the National Benefits Center. 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. If your appeal was sustained or remanded for further action, you will be contacted.

Perry Rhew
Chief, Administrative Appeals Office

DISCUSSION: The application for adjustment from temporary to permanent resident status was rejected by the director of the National Benefits Center. The decision is now before the Administrative Appeals Office (AAO) on appeal. The appeal will be dismissed.

The director rejected and administratively closed the application, finding that the applicant is ineligible to adjust from temporary to permanent resident status because her temporary resident status was terminated.

On appeal, counsel asserts that the I-698 application should not have been rejected because the applicant's appeal of the termination of her temporary resident status is pending. However, the AAO notes that the applicant's appeal of the termination of her temporary resident status has been dismissed. The applicant has not submitted any further evidence on appeal.

As stated in 8 C.F.R. §103.3(a)(3)(iv), any appeal which is filed that fails to state the reason for appeal, or is patently frivolous, will be summarily dismissed.

A review of the decision reveals the director accurately set forth a legitimate basis for rejecting and administratively closing the application. On appeal, the applicant has not presented additional evidence relevant to the grounds for rejecting the application or the stated reason for appeal. The appeal must therefore be summarily dismissed.

ORDER: The appeal is dismissed. This decision constitutes a final notice of ineligibility.