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U.S. Department of Homeland Security  
U.S. Citizenship and Immigration Services  
Office of Administrative Appeals (AAO)  
20 Massachusetts Ave., N.W., MS 2090  
Washington, DC 20529-2090

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U.S. Citizenship  
and Immigration  
Services

[REDACTED]

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FILE: [REDACTED]  
MSC 07 171 10772

Office: HOUSTON

Date: APR 05 2011

IN RE: Applicant:

[REDACTED]

APPLICATION: Application for Adjustment from Temporary to Permanent Resident Status pursuant to 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. The file has 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.

*Elizabeth McCormack*

Perry Rhew  
Chief, Administrative Appeals Office

**DISCUSSION:** The application for adjustment from temporary resident status to permanent resident status was denied by the Director, Houston, and is now before the Administrative Appeals Office (AAO) on appeal. The appeal will be dismissed.

The director denied the application for adjustment from temporary to permanent resident status because the applicant's temporary resident status was terminated on May 12, 2010.<sup>1</sup>

The regulation at 8 C.F.R. §245a.3(b) states, in pertinent part:

“Any alien who has been lawfully admitted for temporary resident status under section 245A(a) of the Act, such status not have been terminated, may apply for adjustment of status of that of an alien lawfully admitted for permanent residence . . .”

Since the applicant's temporary resident status was terminated and her appeal of that decision was dismissed, she is not eligible for adjustment to permanent resident status per 8 C.F.R. § 245a.3(b). The appeal must therefore be dismissed.

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

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<sup>1</sup> SRC 01 119 52598. An appeal of that decision was dismissed by the AAO contemporaneously with this decision.