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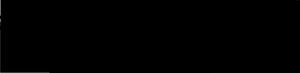
U.S. Department of Homeland Security
U.S. Citizenship and Immigration Services
Administrative Appeals Office (AAO)
20 Massachusetts Ave. N.W., MS 2090
Washington, DC 20529 - 2090
**U.S. Citizenship
and Immigration
Services**

LI



DATE: APR 06 2012

Office: LOS ANGELES

File: 

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. 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 temporary resident status pursuant to the terms of the settlement agreements reached in *Catholic Social Services, Inc., et al., v. Ridge, et al.*, CIV. NO. S-86-1343-LKK (E.D. Cal) January 23, 2004, and *Felicity Mary Newman, et al., v. United States Immigration and Citizenship Services, et al.*, CIV. NO. 87-4757-WDK (C.D. Cal) February 17, 2004 (CSS/Newman Settlement Agreements), was denied by the Director, Los Angeles, California. The decision is now before the Administrative Appeals Office (AAO) on appeal. The appeal will be dismissed.

The applicant submitted a Form I-687, Application for Status as a Temporary Resident under Section 245A of the Immigration and Nationality Act. The director denied the application on April 28, 2011, finding that the applicant had not established that he was admissible to the United States as an immigrant since he had been convicted of five misdemeanors in the United States.

On appeal, the applicant states that he has lived in the United States since 1981.

The regulation at 8 C.F.R. § 245a.2 states an alien who has been convicted of a felony, or three or more misdemeanors is ineligible for temporary resident status.

The record contains the final court depositions that show the applicant was arrested and convicted of the following misdemeanors:

1. Convicted of violating section 273.5(a) of the California Penal Code – Corporal Injury of Spouse or Cohabitant on October 11, 1994.
2. Convicted of violating section 14601.1(a) of the California Vehicle Code (VC)-Driving with a suspended license on February 5, 1997.
3. Convicted of violating section 23109(C) VC – Speed Contest on February 5, 1997.
4. Convicted of violating section 14601.1(A) VC Driving with a suspended license on December 22, 1998.
5. Convicted of 23152(B) VC Driving under the influence on April 6, 2000.

On appeal the applicant states that he is truly ashamed of the acts he committed in the past. The applicant states that he is a changed man, has learned from those lessons and had no more problems with the law.

Upon review, the applicant has not established that he is eligible for temporary resident status because he has been convicted of three or more misdemeanors in the United States. Section 245A(a)(4) of the Act. The applicant is, therefore, ineligible for temporary resident status under section 245A of the Act.

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