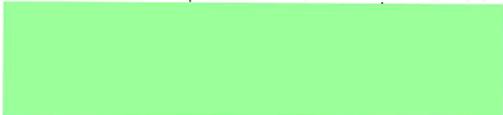


(b)(6)

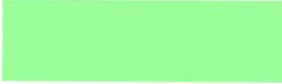


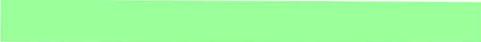
U.S. Citizenship
and Immigration
Services



Date: **JAN 10 2013**

Office: HOUSTON

FILE: 

IN RE: Applicant: 

APPLICATION: Application for Temporary Resident Status under 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.

A handwritten signature in black ink, appearing to read "Ron Rosenberg".

Ron Rosenberg
Acting Chief, Administrative Appeals Office

(b)(6)

DISCUSSION: The director of the Houston office terminated the temporary resident status of the applicant. The matter is now before the Administrative Appeals Office (AAO) on appeal. The appeal will be rejected.

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, or *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 approved on October 13, 2006. On March 19, 2012, the director of the Houston office terminated the temporary resident status of the applicant, finding the applicant to be ineligible for temporary resident status based on both a lack of documentation and inconsistent documentation in the record of proceedings.

The regulation at 8 C.F.R. § 103.3(a)(1)(iii) states, in pertinent part:

(B) *Meaning of affected party.* For purposes of this section and §§ 103.4 and 103.5 of this part, *affected party* (in addition to the Service) means the person or entity with legal standing in a proceeding. It does not include the beneficiary of a visa petition. An affected party may be represented by an attorney or representative in accordance with part 292 of this chapter.

The regulation at 8 C.F.R. § 103.3(a)(2)(v) states:

Improperly filed appeal - (A) Appeal filed by person or entity not entitled to file it - (1) Rejection without refund of filing fee. An appeal filed by a person or entity not entitled to file it must be rejected as improperly filed. In such a case, any filing fee the Service has accepted will not be refunded.

Only an affected party, a person or entity with legal standing, may file an appeal of an unfavorable decision. The Form I-694, Notice of Appeal, was signed by [REDACTED], Esquire as the attorney for an individual named [REDACTED]. A Form G-28, Notice of Entry of Appearance as Attorney or Representative, was contemporaneously signed by [REDACTED], Esquire, as attorney for [REDACTED] who also signed the Form G-28.

On December 11, 2012, the AAO requested a properly executed Form G-28 from the Law Office of [REDACTED]. However, as of the date of this decision, no further documentation has been received. Accordingly, the AAO cannot recognize the Law Office of [REDACTED] as an authorized representative in this proceeding. The appeal has not been filed by the applicant or by any entity with legal standing in the proceeding.

Therefore, the appeal has not been properly filed and must be rejected.

ORDER: The appeal is rejected.