

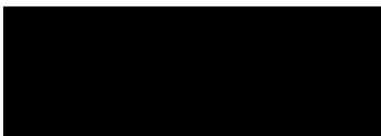
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U.S. Department of Homeland Security
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U.S. Citizenship
and Immigration
Services

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L7

FILE:



Office: ORLANDO, FLORIDA

Date:

MAY 17 2005

IN RE:

Applicant:



APPLICATION: Application for Adjustment of Status under section 902 of the Haitian Refugee Immigration Fairness Act of 1998 (HRIFA) (P.L. 105-277).

ON BEHALF OF APPLICANT:

SELF-REPRESENTED

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. Any further inquiry must be made to that office.

Robert P. Wiemann, Director
Administrative Appeals Office

DISCUSSION: The application was denied by the District Director, Miami, Florida, and is now before the Administrative Appeals Office (AAO) on appeal. The appeal will be rejected.

The record reflects that the applicant is a citizen of Haiti who applied for adjustment of status to permanent residence under section 902 of Public Law 105-277, the Haitian Refugee Immigration Fairness Act of 1998 (HRIFA). On April 28, 2004, the District Director denied the applicant's Application to Register Permanent Resident or Adjust Status (Form I-485).

The authority to adjudicate appeals is delegated to the AAO by the Secretary of the Department of Homeland Security (DHS) pursuant to the authority vested in him through the Homeland Security Act of 2002, Pub. L. 107-296. See DHS Delegation Number 0150.1 (effective March 1, 2003); see also 8 C.F.R. § 2.1 (2003). The AAO exercises appellate jurisdiction over the matters described at 8 C.F.R. § 103.1(f)(3)(iii) (as in effect on February 28, 2003). The AAO does not have jurisdiction over this type of Form I-485 filed under section 902 of HRIFA. Accordingly, the appeal will be rejected.

ORDER: The appeal is rejected.