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**U.S. Citizenship
and Immigration
Services**

LI

[Redacted]

FILE:

MSC-05-313-17739

Office: NEW YORK

Date:

DEC 18 2007

IN RE:

Applicant:

[Redacted]

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:

[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.

Robert P. Wiemann, Chief
Administrative Appeals Office

DISCUSSION: The application for temporary resident status was denied by the Director, New York District Office. The decision is now before the Administrative Appeals Office (AAO) on appeal. The appeal will be dismissed.

The director denied the application because she found the applicant failed to demonstrate by a preponderance of the evidence that she is eligible for temporary resident status. Specifically, the applicant submitted no primary evidence of her residence during the requisite period, and the affidavits she submitted lacked probative value.

On appeal, counsel for the applicant requested that the decision be reconsidered. He also stated that the applicant had submitted sufficient evidence to demonstrate the applicant entered the United States before January 1981 and has been physically present since then. Lastly, the applicant re-submitted affidavits she had already submitted.

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 denial of the application. On appeal, the applicant has not presented additional evidence. Nor has she addressed the grounds stated for denial. The appeal must therefore be summarily dismissed.

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