



U.S. Citizenship  
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Services

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FILE: [REDACTED]  
MSC-05-225-10755

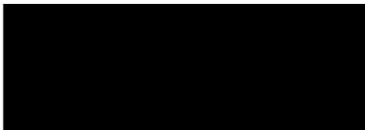
Office: NEW YORK

Date: DEC 20 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:



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 prove by a preponderance of the evidence that he resided in the United States for the requisite periods, is admissible to the United States under the provisions of section 245A of the Immigration and Nationality Act, and is otherwise eligible for adjustment of status under this section. The director noted in the Notice of Intent to Deny that the applicant submitted only an affidavit and a student record, and that attempts to verify these documents were unsuccessful.

On appeal, counsel for the applicant stated that the appeal was filed in the hope that the application would be remanded to the New York District Office. Counsel stated that he had initially requested an additional 60 days in which to provide additional evidence, but he was unable to provide additional evidence during that time. Counsel stated that he would like to submit additional information within 30 days. More than 18 months have passed since the appeal was filed, and the applicant has failed to submit additional evidence. Therefore, the record will be considered complete. The applicant provided no additional evidence or explanation to overcome the reasons for denial of his application.

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 he 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.