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U.S. Department of Homeland Security
20 Mass. Ave., N.W., Rm. 3000
Washington, DC 20529



U.S. Citizenship
and Immigration
Services

41

[REDACTED]

FILE:

XTO 88 525 4007

Office: CALIFORNIA SERVICE CENTER

Date: JAN 30 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. All documents have 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 Director, Western Service Center, denied the application for temporary resident status. On appeal, the Legalization Appeals Unit remanded the case for compliance with the applicant's request for a copy of his administrative record. The director complied with the request and reaffirmed the denial of the application. The matter is now before the Administrative Appeals Office (AAO). The appeal will be dismissed.

The director denied the application because the applicant failed to establish his continuous residence in the United States beginning prior to January 1, 1982 and through the date of his application.

On appeal, counsel set forth no reason for the appeal, but requested a copy of the administrative record and stated that he would submit a brief and additional evidence within 30 days of receiving the response to his request. On February 9, 2005, the Director, California Service Center, sent counsel a copy of the record of proceeding. To date, nearly two years later, the AAO has received nothing further from counsel or the applicant.

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.

In his decision, the director accurately set forth a legitimate basis for denial of the application. On appeal, counsel does not address the ground for denial or submit additional evidence. Consequently, the appeal must be summarily dismissed.

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