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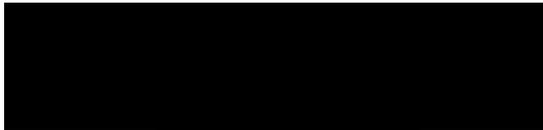
U.S. Department of Homeland Security
20 Mass. Ave., N.W., Rm. 3000
Washington, DC 20529



U.S. Citizenship
and Immigration
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41



FILE: [REDACTED] Office: NATIONAL BENEFITS CENTER Date: JUL 06 2007
MSC 05 329 10593

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:

SELF-REPRESENTED

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.

A handwritten signature in black ink, appearing to read "Robert P. Wiemann".

Robert P. Wiemann, Chief
Administrative Appeals Office

DISCUSSION: The application for temporary resident status was denied by the Director, National Benefits Center, and is now before the Administrative Appeals Office (AAO) on appeal. The appeal will be dismissed.

The director denied the application because he found the applicant failed to meet the burden of proof that she qualified for Adjustment of Status under the CSS/Newman Settlement Agreements. The director found the applicant had not shown she met the requirements listed in the Notice of Intent to Deny (NOID). Specifically, she had failed to provide evidence that she entered the United States before January 1, 1982 and resided in a continuous unlawful status, except for brief absences, from before 1982 until the date she was turned away from the Immigration and Naturalization Service (INS) when she tried to apply for legalization; that she was continuously physically present in the United States, except for brief, casual and innocent departures, from November 6, 1986 until she was turned away by INS; and that she is admissible as an immigrant. The director explained that the only documentation provided by the applicant, an affidavit, only confirms that she was in the United States in the "mid 1980s." The director also noted that no evidence was included by the affiant to document his identity, presence in the United States during the statutory period, or personal knowledge of the events to which he attested, and he provided no telephone contact information. The director found the affidavit failed to overcome the unavailability of both primary and secondary evidence.

On appeal, the applicant stated that she was in Senegal at the time her application was denied. She also explained that [REDACTED] who had submitted the letter on her behalf, was born in the United States and is over forty years old. The applicant stated that these assertions prove that [REDACTED] was "around in the mid 80's." These statements are found not to address the issues raised by the director, including the fact that [REDACTED] did not confirm the applicant's specific period of residence in the United States and merely stated that she was in the United States in the "mid 1980s." The applicant provided no evidence or explanation to overcome the reasons for denial of her 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 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.