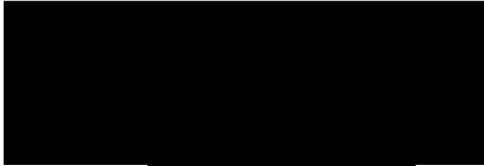




U.S. Citizenship
and Immigration
Services

identifying data deleted to
prevent clearly unwarranted
invasion of personal privacy

PUBLIC COPY



Li

FILE: [REDACTED]
MSC-06-091-15220

Office: HARTFORD, CT

Date:

NOV 01 2007

IN RE: Applicant: [REDACTED]

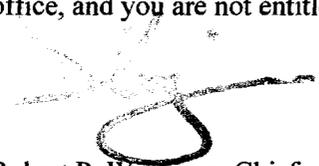
APPLICATION: Application for Status as a Temporary Resident pursuant to Section 245A of the Immigration and Nationality Act, as amended, 8 U.S.C. § 1255a

ON BEHALF OF APPLICANT:

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.


Robert P. Wiemann, Chief
Administrative Appeals Office

DISCUSSION: The application for Temporary Resident Status was denied by the Director, Hartford Field Office, 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 evidence submitted with the application was insufficient to establish eligibility for Temporary Resident Status pursuant to the terms of the CSS/Newman Settlement Agreements. Specifically, the director noted in his decision that that the applicant's absences from the United States indicated that she failed to maintain continuous residence in the United States for the duration of the requisite period. In saying this, the director noted that on the applicant's Form I-687 and at the time of her interview with a Citizenship and Immigration Services (CIS) officer, she indicated that she left the United States for three (3) months, from July to September of 1986. Without further evidence to the contrary, it appears that the applicant did not maintain continuous residence during the requisite period as to have done so pursuant to the regulation at 8 C.F.R. § 245a.2(h)(1)(i) which states that in order to have maintained continuous residence no single absence from the United States during the requisite period can have exceeded forty-five (45) days. The applicant bears the burden of proving that he or she maintained continuous residence in the United States for the duration of the requisite period pursuant to the regulation at 8 C.F.R. § 245a.2(d)(5). Here, because the applicant failed to meet this burden, the director denied the application.

On appeal, the applicant submits a Form I-694 Notice of Appeal of Decision on which the applicant states that she will submit a brief in support of her appeal within thirty (30) days. It is noted that the Service received this applicant's Form I-694 on February 26, 2007. As of October 30, 2007 the Service has not received an appeal from this applicant. Further, the applicant did not submit additional evidence in support 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.