



U.S. Citizenship
and Immigration
Services

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FILE:

MSC-05-151-20809

Office: NEW YORK

Date:

NOV 02 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, New York District Office, and is now before the Administrative Appeals Office (AAO) on appeal. The appeal will be dismissed.

The director denied the application because she 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 applicant provided addresses of residence during the requisite period at the time of his interview with a Citizenship and Immigration Services (CIS) officer that were not consistent with what he showed to be his addresses during corresponding dates on his Form I-687. The director further noted that the applicant did not submit evidence apart from his own testimony to meet his burden of proving by a preponderance of the evidence that he resided continuously in the United States for the duration of the requisite period. It is noted here that applicants must provide evidence apart from their own testimony to meet their burden of proving by a preponderance of the evidence that they continuously resided in the United States for the duration of the requisite period pursuant to the regulation at 8 C.F.R. § 245a.2(d)(6).

On appeal, the applicant submits a Form I-694 Notice of Appeal of Decision on which he states that he has resided in the United States since 1981. He goes on to say that he previously submitted documents in support of his application. He requests that the Service reconsider his application. The applicant provided no additional evidence or explanation to overcome the reasons for denial of his application with his Form I-694.

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.