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**U.S. Citizenship
and Immigration
Services**

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FILE: [REDACTED]

MSC-06-028-13789

Office: NATIONAL BENEFITS CENTER Date:

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 "R. Wiemann", written over a faint circular stamp.

Robert P. Wiemann, Chief
Administrative Appeals Office

DISCUSSION: The application for Temporary Resident Status was denied by the Director of the National Benefits Center and that decision 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. In his Notice of Intent to Deny (NOID), the director stated that the applicant failed to submit evidence apart from her own testimony proving that she had maintained continuous residence in the United States during the requisite period, was continuously physically present in the United States from November 6, 1986 and then for the duration of the requisite period or that she was admissible as an immigrant. The director granted the applicant thirty (30) days within which to submit additional evidence in support of her application. Though the director noted that his office received evidence from the applicant in support of her application in response to his NOID, he noted and the record shows that none of the documents submitted are relevant to the requisite period. Because of this, none of the evidence submitted by the applicant can be afforded any weight in establishing that the applicant continuously resided in the United States for the duration of the requisite period. The director went on to say that the applicant had not met her burden pursuant to the regulation at 8 C.F.R. § 245a.2(d)(5) which states in pertinent part that applicants for adjustment of status to that of a Temporary Resident must prove by a preponderance of the evidence that they resided in the United States for the duration of the requisite period. Therefore, he denied the application.

On appeal, the applicant submits a Form I-694 Notice of Appeal of Decision on which she states that she will submit a brief within thirty (30) calendar days. It is noted that the applicant signed her Form I-694 on August 21, 2006 and the Service received it on August 29, 2006. As of October 10, 2007, the Service has not received a brief or any additional 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.