

identifying data deleted to
prevent clearly unwarranted
invasion of personal privacy



U.S. Citizenship
and Immigration
Services

PUBLIC COPY

4



FILE: [REDACTED]
MSC-05-138-11766

Office: BOSTON

Date: **NOV 07 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.

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

Robert P. Wiemann, Chief
Administrative Appeals Office

DISCUSSION: The application for temporary resident status was denied by the Director, Boston District 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 applicant had failed to respond to the Notice of Intent to Deny (NOID). The NOID indicated the applicant had failed to provide evidence of his presence and residence in the United States during the requisite periods and of his admissibility as an immigrant. Specifically, the director indicated the applicant's testimony during his interview with an immigration officer was unconvincing because it lacked detail and was inconsistent with verifiable facts.

On appeal, the applicant stated that he does not agree with the director's decision. He has been living in the United States since 1981. It was very difficult for the applicant to provide the requested evidence due to the passage of time. The applicant provided no additional evidence or explanation to overcome the reasons for denial of his application. Specifically, the applicant did not explain the problems with his oral statements or his failure to respond to the NOID.

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.