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U.S. Department of Homeland Security  
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U.S. Citizenship  
and Immigration  
Services

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FILE: MSC 06 060 12153

Office: NEW YORK

Date: NOV 08 2007

IN RE: Applicant:



APPLICATION: Application for Temporary Resident Status under 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. All documents have been returned to the office that originally decided your case. If your appeal was sustained, or if the matter 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 pursuant to the terms of the settlement agreements reached in *Catholic Social Services, Inc., et al., v. Ridge, et al.*, CIV. [REDACTED] (E.D. Cal) January 23, 2004, and *Felicity Mary Newman, et al., v. United States Immigration and Citizenship Services, et al.*, CIV. [REDACTED] (C.D. Cal) February 17, 2004 (CSS/Newman Settlement Agreements), was denied by the District Director, New York, New York, and is now before the Administrative Appeals Office (AAO) on appeal. The appeal will be summarily dismissed.

The director determined that the applicant had not demonstrated that she had continuously resided in the United States in an unlawful status since before January 1, 1982 through the date that she attempted to file a Form I-687, Application for Status as a Temporary Resident, with the Immigration and Naturalization Service or the Service (now Citizenship and Immigration Services or CIS) in the original legalization application period between May 5, 1987 to May 4, 1988. Therefore, the director concluded that the applicant was not eligible to adjust to temporary resident status pursuant to the terms of the CSS/Newman Settlement Agreements and denied the application.

On appeal, the applicant states that he she is filing an appeal because:

I am a *prima facie* applicant and my answers to the questions asked during the interview have provided it. I, indeed came to the USA in late 1981 and stayed during all the statutory period except for one brief absence . . . In support of my claim I submitted an affidavit from a U.S. citizen who was here during the statutory period and knows the circumstances of my residency. I expect the Service to vacate the decision and deny and adjudicate my application for Temporary Residence.

The applicant submitted a single document to establish that she resided in the United States from prior to 1982. The document is a January 27, 2006 notarized statement from [REDACTED] in which she stated that she first met the applicant at St. Francis of Assisi in December 1981. The applicant submits no other documentation in support of her appeal.

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. The applicant has failed to identify specifically any erroneous conclusion of law or statement of fact in the director's decision and has not provided any additional evidence on appeal. The appeal must therefore be summarily dismissed.

**ORDER:** The appeal is summarily dismissed. This decision constitutes a final notice of ineligibility.