



U.S. Citizenship
and Immigration
Services

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[Redacted]

FILE: [Redacted] MSC-05-277-10701

Office: NEWARK, NJ

Date: NOV 13 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:

[Redacted]

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, Newark, New Jersey 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, in her Notice of Intent to Deny (NOID), the director stated that the applicant failed to submit evidence that showed she resided in the United States during the statutory period. The director granted the applicant thirty (30) days within which to submit additional evidence in support of her application. In denying the application, the director stated that because she failed to submit additional evidence in response to the director's NOID, the applicant did not overcome the director's reasons for denial.

On appeal, the applicant states that she has evidence that she was present in the United States before January 1, 1982. She states that this evidence will be in the form of an affidavit which she will send to the Service within thirty (30) days. The applicant submitted her Form I-694 Notice of Appeal of Decision on which she indicated she would submit this evidence on July 18, 2006. As of October 29, 2007 the Service has not received additional evidence from this applicant. Therefore, the applicant provided no 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.