



U.S. Citizenship
and Immigration
Services

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LA

[Redacted]

FILE: [Redacted]
MSC-06-103-20690

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 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. Specifically, the director found that none of the evidence that the applicant submitted established that she maintained continuous residence in the United States from a point in time before January 1, 1982 until she attempted to file for legalization during the original filing period. It is noted here that the applicant only submitted one affidavit that is relevant to the requisite period. In this affidavit the affiant states that he did not meet the applicant until 1983. Therefore, this affidavit does not pertain to the duration of the requisite period. It is also noted here that the director provided a list of appropriate forms of documentary evidence that applicants can use to establish that they continuously resided in the United States for the duration of the requisite period in his decision. In denying the application, the director stated that he found the applicant had not met her burden of proving by a preponderance of the evidence that she had continuously resided in the United States for the duration of the requisite period by providing evidence apart from her own testimony.

On appeal, the applicant submits a Form I-694 Notice of Appeal of Decision on which she states that she previously submitted what she believes was sufficient evidence in support of her application. She requests that the Service provide her with a list of acceptable documents to submit in support of her application. As was previously noted, the director provided the applicant with such a list in his decision. The applicant provided no additional evidence or explanation to overcome the reasons for denial of her application with her 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 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.