



U.S. Citizenship
and Immigration
Services

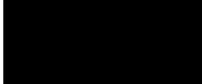
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FILE:



Office: NEW YORK

Date: NOV 13 2007

MSC-06-084-13354

IN RE:

Applicant:



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.

Robert P. Wieman, Chief
Administrative Appeals Office

DISCUSSION: The application for Temporary Resident Status was denied by the Director, New York District Office, and that decision 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, she stated in her Notice of Intent to Deny (NOID) that the applicant only submitted two (2) affidavits in support of his claim of having resided continuously in the United States for the duration of the requisite period and these affidavits were not sufficient to prove by a preponderance of the evidence that he did so. In saying this, the director noted that the affidavits only pertained to the years 1984 and 1985 and that the affiants did not submit identification, proof that they were present in the United States during the requisite period or proof that the affiants had personal knowledge of the events and circumstances of the applicant's residence during the requisite period. The director granted the applicant thirty (30) days within which to submit additional evidence in support of his application. In denying the applicant, the director noted that though the applicant submitted a letter in response to her NOID that requested additional time to gather more evidence, he failed to submit any additional evidence in support of his application after more than a year had passed. Therefore, she found he did not overcome her reasons for denial as stated in her NOID and she denied the application.

On appeal, the applicant submits a Form I-694 on which he indicates he will submit a brief within thirty (30) calendar days. The Service received the applicant's Form I-694 on May 7, 2007. As of October 31, 2007, the Service has not received a brief from this applicant. The applicant provided no additional evidence or explanation to overcome the reasons for denial of his 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 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.