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U.S. Citizenship  
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[REDACTED]

FILE: [REDACTED] Office: CINCINNATI Date: NOV 20 2007  
MSC 05 186 11056

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. 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. NO. S-86-1343-LKK (E.D. Cal) January 23, 2004, and *Felicity Mary Newman, et al., v. United States Immigration and Citizenship Services, et al.*, CIV. NO. 87-4757-WDK (C.D. Cal) February 17, 2004, (CSS/Newman Settlement Agreements) was denied by the District Director, Cleveland, Ohio, 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 he had continuously resided in the United States in an unlawful status since before January 1, 1982 through the date that he 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 has resided unlawfully in the United States since 1981, and that he submitted affidavits from acquaintances as his only means of proving his claim. The applicant submitted two affidavits, one is a September 5, 2006 affidavit from [REDACTED] in which he stated that he knew the applicant in New York City since prior to December 31, 1980. [REDACTED] did not state how or under what circumstances he became acquainted with the applicant. The other is a September 5, 2006 affidavit from [REDACTED] in which he stated that he had known the applicant since 1981, and met the applicant when his mother sat with him as a baby. The record does not reflect the age of the affiant or that he had an independent knowledge of the applicant's presence and residency in the United States during the requisite period. The applicant submitted no additional evidence in response to the director's Notice of Intent to Deny dated February 22, 2006 or on 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 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.