

identifying data deleted to
prevent clearly unwarranted
invasion of personal privacy



U.S. Citizenship
and Immigration
Services

PUBLIC COPY

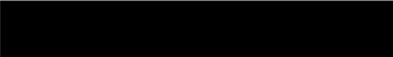


21

FILE: 
MSC-06-096-10452

Office: LOS ANGELES

Date: **NOV 29 2007**

IN RE: Applicant: 

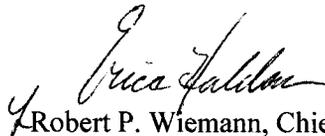
APPLICATION: Application for Status as a Temporary Resident pursuant to Section 245A of the Immigration and Nationality Act, as amended, 8 U.S.C. § 1255a

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. Wiemann, Chief
Administrative Appeals Office

DISCUSSION: The application for temporary resident status was denied by the Director, Los Angeles 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 by the applicant does not establish his claim by a preponderance of the evidence. The director mistakenly stated that the applicant failed to establish his claim of continuous unlawful presence in the United States prior to January 1, 1982 through May 4, 1988, instead of continuous unlawful residence in the United States from prior to January 1, 1982 until May 4, 1988. The director noted that she had requested that the applicant provide evidence that his affiants had resided in the United States during the requisite period and the applicant had failed to provide this evidence.

On appeal, the applicant stated that he entered the United States before January 1, 1982 and he has resided continuously in the United States in an unlawful status since that date. The applicant also asked what kind of documents he needed to send as proof of his residence during the requisite period. 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.