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U.S. Citizenship  
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FILE: [REDACTED]  
MSC 05 225 11272

Office: NEW YORK

Date: OCT 09 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:



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 of the New York 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 affidavits submitted by the applicant were not found credible and the totality of the evidence submitted by the applicant was not sufficient to establish, by a preponderance of the evidence that he had maintained continuous residence in the United States for the duration of the requisite period. The director further noted that the applicant had previously submitted a form G-325A on August 29, 1990 to the Service. She went on to say that on this Form G-325A the applicant showed his address until 1989 to be in Conakry, Guinea. It is further noted that this Form G-325A shows that from March of 1989 the applicant lived at an address that was not consistent with what he showed on his Form I-687, further casting doubt on the credibility of the applicant's claim to have resided continuously in the United States during the requisite period. The director granted the applicant thirty (30) days within which to submit additional evidence in support of his application. Though the director noted that she did receive additional evidence in response to her NOID, she found that this evidence was insufficient to establish eligibility for the benefit sought.

On appeal, the applicant states that he has additional documents that will be submitted in order to overcome the grounds for denial. His Form I-694 Notice of Appeal of Decision indicates that he will submit a brief within thirty (30) calendar days. It is noted here that the Service received the applicant's Form I-694 on January 18, 2006 and as of October 1, 2007 the Service has not received any additional evidence from the applicant, nor has it received his brief. Therefore, it is determined that the applicant has 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.