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U.S. Citizenship
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Services

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OCT 12 2007

FILE:

MSC-05-320-12423

Office: NATIONAL BENEFITS CENTER

Date:

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 of the National Benefits Center 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 stated that he found that the applicant failed to provide any evidence that he entered the United States before January 1, 1982 and then resided in a continuous unlawful status except for brief absences for the duration of the requisite period, that he maintained continuous physical presence in the United States except for brief, casual and innocent departures from November 6, 1986 and then through the remainder of the requisite period and that he was admissible as an immigrant. The director granted the applicant thirty (30) days within which to provide additional evidence in support of his appeal. In denying the application, the director found that the evidence submitted by the applicant in response to is NOID was not sufficient to overcome the grounds for denial as stated in his NOID.

On appeal, the applicant states that he previously submitted all of the documents that he had in support of his application. He goes on to say that he does not have any bills because he resided with friends. He states that he did submit affidavits from friends in support of his application. It is noted here that the record does not contain any affidavits. 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.