



U.S. Citizenship
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Services

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OCT 18 2007

FILE: [REDACTED]
MSC-06-053-10785

Office: DETROIT, MI

Date:

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. 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, Detroit, Michigan 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, the director noted that the applicant did not submit documentary evidence allowed him to prove by a preponderance of the evidence that he resided in the United States for the requisite periods as the regulation at 8 C.F.R. § 245a.2(d)(5) requires applicants for Temporary Resident Status to do. Because the applicant did not submit documents that proved by a preponderance of the evidence that he resided in the United States for the duration of the requisite period, the director denied the application.

While not noted by the director, it is noted here that the record contains a sworn statement submitted at the time of the applicant's interview with a Citizenship and Immigration Services (CIS) officer. In this statement, the applicant testified that he first entered the United States in April of 1997, that he was never in the United States before 1982 and that he was not living in the United States during the 1980's.

On appeal, the applicant submits a Form I-694 on which he states that he waives his right to submit a brief or statement. 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.