



U.S. Citizenship
and Immigration
Services

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OCT 18 2007

FILE: [REDACTED]
MSC-06-069-13629

Office: NEW YORK

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, 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 applicant failed to meet the burden of proof that she qualifies for adjustment of status.

On appeal, the applicant stated that she is eligible for temporary residence, that she entered the United States in 1981 and stayed in the United States during the statutory period, and that her affidavits support her claims because they are provided by United States citizens who were in the United States and have knowledge of the circumstances of her residency and the events attested. The applicant stated that she proved a prima facie case during her interview, and that the director's decision should be rescinded. It is noted that, although not required, the record contains no documentation of United States citizenship or presence in the United States during the requisite period for the individuals who provided affidavits.

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 she 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.