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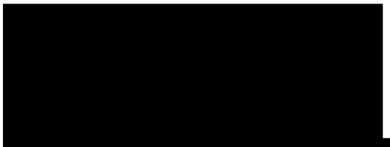


**U.S. Citizenship
and Immigration
Services**

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OCT 22 2007



FILE: [REDACTED]
MSC-05-284-10155

Office: NATIONAL BENEFITS CENTER

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 of the National Benefits Center and that decision is now before the Administrative Appeals Office on appeal. The appeal will be dismissed.

The director denied the application because he determined that the applicant did not establish, by a preponderance of the evidence, that she maintained continuous residence in the United States from January 1, 1982 to a period of time between May 5, 1987 and May 4, 1988. Applicants for Temporary Resident Status bear the burden of proving by a preponderance of the evidence that they have resided in the United States for the requisite period. 8 C.F.R. § 245a.2(d)(5). To meet their burden of proof, applicants must provide evidence of eligibility apart from their own testimony. 8 C.F.R. § 245a.2(d)(6). The regulation at 8 C.F.R. § 245a.2(d)(3) provides an illustrative list of documentation that an applicant may submit to establish proof of continuous residence in the United States during the requisite period. Here, the director noted in his Notice of Intent to Deny (NOID) that the applicant did not provide any evidence other than her own testimony that proved that she had maintained continuous residence 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 her application. Though the director noted that he received an additional affidavit in support of the applicant's claim of having maintained continuous residence during the requisite period, he noted that this evidence was not relevant to the requisite period. Therefore, the director found the applicant did not overcome his reasons for denial as stated in his NOID, and he denied the application.

On appeal the applicant submits a Form I-694 Notice of Appeal of Decision on which she states that she entered the United States on April 8, 1999. She goes on to say that she can submit evidence of this entry. It is noted here that applicants for adjustment of status to that of a Temporary Resident must establish that they first entered the United States before January 1, 1982.

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.