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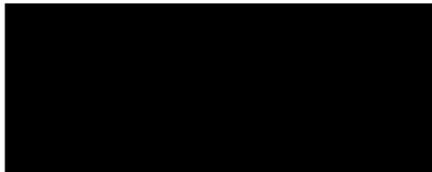
U.S. Department of Homeland Security
20 Mass. Ave., N.W., Rm. 3000
Washington, DC 20529



U.S. Citizenship
and Immigration
Services

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FILE: [REDACTED] MSC-05-334-12009

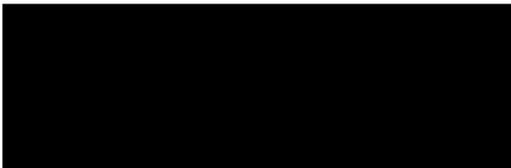
Office: NEWARK

Date: **OCT 29 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.

A handwritten signature in black ink, appearing to read "R. Wiemann".

Robert P. Wiemann, Chief
Administrative Appeals Office

DISCUSSION: The application for temporary resident status was denied by the Director, Newark District Office, 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 was not sufficient to establish the applicant's presence in the United States prior to January 1, 1982. Specifically, the applicant submitted copies of two affidavits in support of his application. In response to a Notice of Intent to Deny, the applicant resubmitted copies of the same affidavits. At his interview with an immigration officer the applicant indicated he had no additional evidence to present. The applicant also could not or would not produce the original versions of the affidavits.

On appeal, the applicant stated that he provided a complete application, that he works hard and worked long hours at a local gas station, and that he submitted all the documentation he could possibly collect. The applicant stated that the interviewing officer did not ask him to sit down or ask him any questions. The applicant also expressed his view that his corroborative testimony would have sufficed.

It is noted that the record indicates the applicant was interviewed by an immigration officer on January 11, 2007, as required by 8 C.F.R. § 245a.2(j).

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. Specifically, the applicant has not provided any additional documentation in support of his application. The appeal must therefore be summarily dismissed.

ORDER: The appeal is dismissed. This decision constitutes a final notice of ineligibility.