

identifying data deleted to  
prevent clearly unwarranted  
invasion of personal privacy



U.S. Citizenship  
and Immigration  
Services

**PUBLIC COPY**



4

FILE: [REDACTED]  
MSC-05-264-13871

Office: BOSTON, MA

Date: OCT 31 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:

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.

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

Robert P. Wiemann, Chief  
Administrative Appeals Office

**DISCUSSION:** The application for Temporary Resident Status was denied by the Director, Boston, Massachusetts 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 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 in his decision that the applicant did not meet her burden of proving, by a preponderance of the evidence, that she entered the United States on a date that was prior to January 1, 1982 and then maintained continuous residence in the United States for the duration of the requisite period as applicants for Temporary Resident Status are required to do pursuant to 8 C.F.R. § 245a.2(b)(1). It is noted here that in order to meet their burden of proving by a preponderance of the evidence that they maintained continuous residence in the United States for the duration of the requisite period, the regulation at 8 C.F.R. § 245a.2(d)(6) requires that applicants submit evidence apart from their own testimony. Here, the director found that the applicant had not submitted sufficient evidence apart from her own testimony to prove that she had resided continuously in the United States for the duration of the requisite period. Therefore, he denied her application.

On appeal, the applicant submits a Form I-290B Notice of Appeals to the Administrative Appeals Office on which she states that her previously submitted evidence is sufficient to meet her burden of establishing that she entered the United States before January 1, 1982 and then continuously resided in the United States in an unlawful status for the duration of the requisite period. The applicant provided no additional evidence or explanation to overcome the reasons for denial of her application with her Form I-290B.

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.