



U.S. Citizenship  
and Immigration  
Services

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FILE:

Office: NEW YORK

Date: SEP 07 2007

MSC-06-054-15363

IN RE:

Applicant:

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. All documents have been returned to the office that originally decided your case. If your appeal was sustained, or if the matter 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, and that decision is now before the Administrative Appeals Office on appeal. The appeal will be dismissed.

The director denied the application because she found that though evidence in the record indicated that the applicant filed a Special Agricultural Worker petition, he did not establish that he was a class member of the CSS/Newman Settlement Agreement. In her Notice of Intent to Deny (NOID), the director stated she found that the applicant did not establish that he was a class member in accordance with the CSS/Newman Settlement Agreement as evidence in the record indicated that the applicant did not apply for class membership prior to October 1, 2000. The applicant was then granted thirty (30) days within which to submit additional evidence in support of his application. In denying the applicant's Form I-687 application, the director noted the above and that the applicant failed to submit additional, relevant evidence for consideration in response to her NOID.

With his Form I-694 Notice of Appeal of Decision, the applicant states that he did submit evidence regarding his legalization application in response to the director's NOID. He indicates that he is resubmitting those previously submitted documents with his appeal. No additional evidence or statements were submitted with the applicant's Form I-694.

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.