

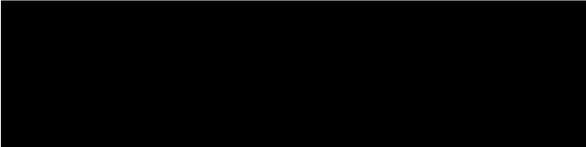
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U.S. Department of Homeland Security
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U.S. Citizenship
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FILE: [Redacted]
MSC-04-349-11540

Office: NEW YORK

Date: **APR 17 2008**

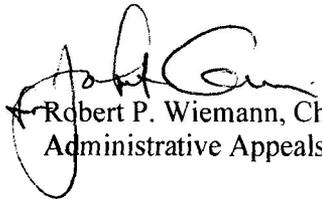
IN RE: Applicant: [Redacted]

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. If your appeal was dismissed or rejected, all documents have been returned to the National Benefits Center. 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. If your appeal was sustained or remanded for further action, you will be contacted.


Robert P. Wiemann, Chief
Administrative Appeals Office

DISCUSSION: The application for temporary resident status pursuant to the terms of the settlement agreements reached in *Catholic Social Services, Inc., et al., v. Ridge, et al.*, CIV. NO. S-86-1343-LKK (E.D. Cal) January 23, 2004, and *Felicity Mary Newman, et al., v. United States Immigration and Citizenship Services, et al.*, CIV. NO. 87-4757-WDK (C.D. Cal) February 17, 2004 (CSS/Newman Settlement Agreements), was denied by the District Director, New York. The decision is now before the Administrative Appeals Office (AAO) on appeal. The appeal will be dismissed.

The director denied the application because she 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, in her Notice of Intent to Deny (NOID), issued October 24, 2005, the director noted that the applicant did not submit documents proving his entry into the United States prior to January 1, 1982 nor did he submit documents that proved by a preponderance of the evidence that he resided continuously in the United States for the duration of the requisite period. In saying this, the director noted that on the date the applicant claimed to have entered the United States he would have been three (3) years old. She stated that though state and local institutions provide vaccinations to children in New York, the applicant did not submit records of such vaccinations nor did he submit proof of attending school though he was of school age in New York City during the requisite period. The director granted the applicant thirty (30) days within which to provide additional evidence in support of his application. In her decision, dated August 12, 2006, the director stated that the applicant failed to submit additional evidence in support of his application. Therefore, the director stated that the applicant did not overcome her reasons for denial as stated in her NOID and she denied the application.

On appeal, the applicant states that he lost all of his documents in the process of moving. The applicant provided no additional evidence or explanation to overcome the reasons for denial of his application.

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.