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FILE: [REDACTED]
MSC 06 090 13444

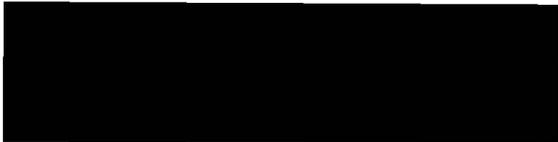
Office: NATIONAL BENEFITS CENTER

Date: **APR 25 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:



INSTRUCTIONS:

This is the decision of the Administrative Appeals Office in your case. All documents have been returned to the National Benefits Center. 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 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, or *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, was denied by the Director, National Benefits Center, and is now before the Administrative Appeals Office on appeal. The appeal will be rejected.

Noting that the record was deficient, the director issued a notice of his intent to deny the application. After the petitioner failed to respond to the notice, the director denied the application for abandonment, pursuant to 8 C.F.R. § 103.2(b)(13).

The director correctly informed the applicant that no appeal would lie from the decision. Regardless, the applicant submitted an appeal on October 12, 2007.

The regulations provide that no appeal lies from the denial of an application where abandonment was the basis for such denial. *See* 8 C.F.R. § 103.2(b)(15). As there is no appeal from the director's denial, the appeal must be rejected.

ORDER: The appeal is rejected.