

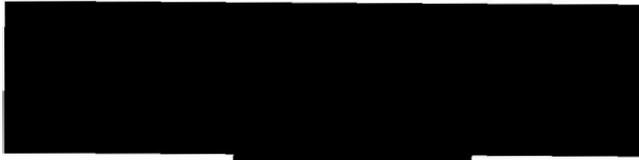
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U.S. Department of Homeland Security
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U.S. Citizenship
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FILE: [Redacted]
MSC 05 127 10647

Office: NEW YORK

Date: **APR 29 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. The file has 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, 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, New York. The decision is now before the Administrative Appeals Office (AAO) on appeal. The appeal will be dismissed.

The district director denied the application on November 24, 2007, because the applicant failed to provide credible evidence that he had continuously resided unlawfully in the United States for the requisite period.

On appeal, the applicant asserts that he did not receive a request for evidence dated July 22, 2005; however, the record reflects that the request was sent to the applicant at his address of record at that time. The applicant also requests reconsideration of his application. No new evidence has been submitted by the applicant on appeal.

An officer to whom an appeal is taken shall summarily dismiss any appeal when the party concerned fails to identify specifically any erroneous conclusion of law or statement of fact for the appeal. 8 C.F.R. § 103.3(a)(1)(v).

A review of the decision reveals the district 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 of the application. Therefore, the appeal must be summarily dismissed.

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