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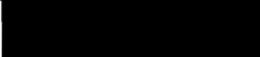
U.S. Citizenship  
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Services

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FILE:



Office: NEW YORK

Date: AUG 28 2008

MSC 05 189 10192

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:



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 summarily dismissed.

On April 19, 2007, the director denied the application, finding that the applicant had not met her burden of proof and was, therefore not eligible to adjust to temporary resident status pursuant to the terms of the CSS/Newman Settlement Agreements.

On appeal, the applicant re-submits an August 9, 2005 letter that had been provided as a rebuttal to the director's July 25, 2005 Notice of Intent to Deny (NOID) the application. The applicant does not submit new documentation. The applicant fails to specifically address the director's analysis of the information regarding her entry into the United States prior to January 1, 1982 and her continuous residence in the United States for the requisite time period on appeal. The AAO is unable to identify a basis for the appeal.

As stated in 8 C.F.R. § 103.3(a)(3)(iv), any appeal that fails to state the reason for appeal, or is patently frivolous, will be summarily dismissed.

A review of the decision reveals that the director set forth a legitimate basis for denial of the application.<sup>1</sup> On appeal, the applicant has not presented additional evidence associated with this matter. Nor has she specifically addressed the basis for denial. The appeal must therefore be summarily dismissed.

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

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<sup>1</sup> The AAO observes that the record also contains a Form I-589, Application for Asylum and for Withholding of Removal, filed on or about June 17, 2008 on behalf of the applicant. The applicant claims on the Form I-589 that she attended high school in India from 1984 to 1988 and that she came to the United States in 1996 and the United States has been her home ever since. These claims conflict with the applicant's claims on the Form I-687. Doubt cast on any aspect of the applicant's proof may, of course, lead to a reevaluation of the reliability and sufficiency of the remaining evidence offered in support of the visa petition. *Matter of Ho*, 19 I&N Dec. 582, 591 (BIA 1988).