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U.S. Citizenship
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Services

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FILE:



Office: MIAMI

Date:

AUG 29 2008

MSC 05 196 10357

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. 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, Miami, Florida. The decision is now before the Administrative Appeals Office (AAO) on appeal. The appeal will be summarily dismissed.

The director denied the application on November 24, 2006 and reissued the same decision on December 26, 2006. The director determined that the applicant had not met his burden of proof and was, therefore, not eligible to adjust to temporary resident status pursuant to the terms of the CSS/Newman Settlement Agreements. The record includes a Form I-694, Notice of Appeal of Decision Under Section 210 or 245A, date-stamped received by Citizenship and Immigration Services (CIS) on December 18, 2006.

On appeal, the applicant submits the same information provided in response to the director's Notice of Intent to Deny (NOID) the application and requests that he be given United States residency. The applicant fails to specifically address the director's analysis of the evidence and does not furnish any additional evidence.

The AAO observes that the director considered the evidence submitted in response to the NOID prior to issuing her decision and found that the information submitted did not establish the applicant's eligibility to adjust status pursuant to the terms of the CSS/Newman Settlement Agreements. 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. On appeal, the applicant has not presented additional evidence associated with this matter. Nor has he 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.