

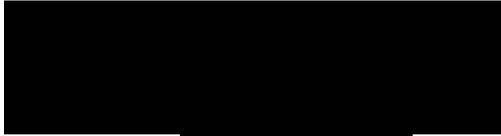
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U.S. Citizenship
and Immigration
Services

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FILE:



Office: SAN DIEGO

Date:

AUG 29 2008

MSC-06-055-12145

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 Acting District Director, San Diego. The decision is now before the Administrative Appeals Office (AAO) on appeal. The appeal will be dismissed.

The acting director 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, the acting director noted that though the applicant submitted evidence in support of her application, his office did not find that this evidence was credible. Therefore, the director found this evidence did not allow the applicant to satisfy her burden of proof. Because the applicant did not satisfy her burden of proving that she maintained continuous residence during the requisite period, the director denied the application.

On appeal, the applicant states that she submitted letters in support of her application from family and friends. She indicates that she is willing to submit notarized copies of these documents. The applicant also submits a report from the California Early Start Intake Team that is dated December 13, 2004. However, this letter does not contain testimony that is relevant to the applicant's claimed residence in the United States during the requisite period.

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 that is relevant to her residence. **Nor has she 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.