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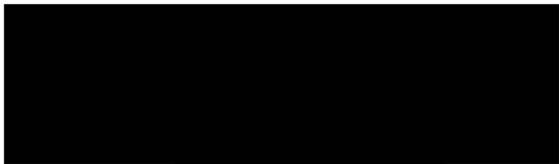
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U.S. Department of Homeland Security  
20 Mass. Ave., N.W., Rm. 3000  
Washington, DC 20529-2090



U.S. Citizenship  
and Immigration  
Services

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FILE:

MSC 05 271 12946

Office: NEW YORK

Date:

DEC 22 2008

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.

John Grissom, Acting 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 Director, New York. That decision is now before the Administrative Appeals Office on appeal. The appeal will be summarily dismissed.

The director denied the application because the applicant failed to establish his continuous unlawful residence in the United States for the duration of the requisite period. Specifically, the director noted that the applicant admitted that he left the United States in 1987 and did not return until "2004," which interrupted the applicant's period of continuous residence required during the requisite period for the immigration benefit sought.

On appeal, the applicant states simply that: he first came to the United States through Mexico in 1981; he thereafter continuously resided in this country until May 4, 1988; he returned to the United States on December 23, 2001; he works hard to support his family; he stays out of trouble; and he is willing to pay taxes.

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 accurately set forth a legitimate basis for denial of the application. The applicant has presented no evidence in support of his application. Nor did the applicant submit additional evidence on appeal. The applicant did not specifically address the basis for denial. The appeal must therefore be summarily dismissed.

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