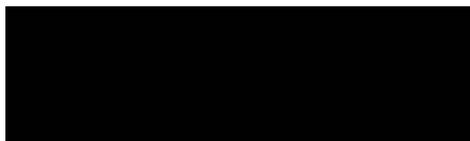


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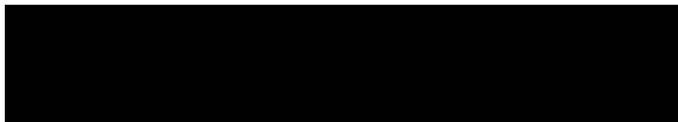
Office: LOS ANGELES

Date: **JAN 02 2008**

IN RE: Applicant: [REDACTED]

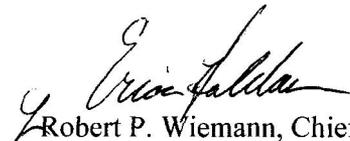
APPLICATION: Application for Status as a Temporary Resident pursuant to Section 245A of the Immigration and Nationality Act, as amended, 8 U.S.C. § 1255a

ON BEHALF OF APPLICANT:



INSTRUCTIONS:

This is the decision of the Administrative Appeals Office in your case. The file has been returned to the office that originally decided your case. 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, Los Angeles. The decision is now before the Administrative Appeals Office (AAO) on appeal. The appeal will be dismissed.

The applicant submitted a Form I-687, Application for Status as a Temporary Resident under Section 245A of the Immigration and Nationality Act (Act), and a Form I-687 Supplement, CSS/Newman Class Membership Worksheet. The director determined that the applicant had not established by a preponderance of the evidence that he had continuously resided in the United States in an unlawful status for the duration of the requisite period. Specifically, the director noted that the record contained evidence that contradicted what the applicant showed on his Form I-687 regarding his dates of residence and employment in the United States. The director noted there were two employment verification letters from the same employer that contained contradictory information regarding the dates of the applicant's employment during the requisite period. She went on to say that the record contained a form G-325A submitted by the applicant on June 25, 1995 with his Form I-589 Application for Asylum and Withholding of Deportation, on which the applicant indicated that he lived in El Salvador from August of 1989 to November of 1990, which, while not relevant to the requisite period, was not consistent with what the applicant showed on his Form I-687. The director also noted a military identification card issued by the National Guard of El Salvador to the applicant on November 4, 1985, which indicates that the applicant was a member of the National Guard in El Salvador on that date. It is noted here that the applicant indicated on his Form I-687 that he was not absent from the United States at any point in time during the year 1985. The director found that these contradictions in the evidence in the record cast doubt on the applicant's assertion that he resided continuously in the United States for the duration of the requisite period. The director denied the application, finding 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.

On appeal, the applicant submits a statement on which he asserts that he did reside in the United States for the duration of the requisite period. He provides details regarding his employment, addresses of residence, and absences from the United States during that time that are consistent with what he showed on his Form I-687. The applicant did not submit any additional evidence or address the director's reasons for the denial of his application with his appeal.

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. Nor has he 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.