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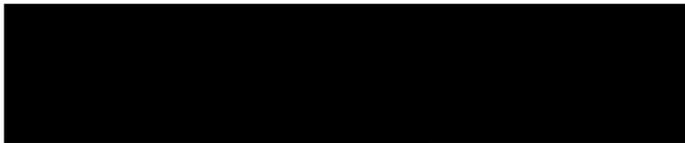
U.S. Department of Homeland Security
20 Mass. Ave., N.W., Rm. 3000
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U.S. Citizenship
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Services

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FILE: [redacted] Office: NEW YORK Date: **JAN 24 2008**
MSC-05-231-16063

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:

SELF-REPRESENTED

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 was denied by the Director, New York District Office, and is now before the Administrative Appeals Office (AAO) on appeal. The appeal will be dismissed.

The director denied the application because she found the evidence submitted was insufficient to overcome the grounds for denial expressed in the Notice of Intent to Deny (NOID), where the director indicated that the applicant failed to establish by a preponderance of the evidence that he resided continuously in the United States throughout the requisite period. Specifically, the director mentioned that the applicant returned to Tobago for at least four months during the requisite period.

On appeal, the applicant stated that she entered the United States illegally in November 1981 and has resided in the United States since then, without any documentation. The applicant provided documents from citizens who have known her, listing the affiants' telephone number or address for verification purposes. The applicant stated she has nothing further to submit at this time.

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 she addressed the grounds stated for denial. Specifically, the applicant has not provided any explanation for her statements indicating she was absent from the United States during the requisite period for more than 45 consecutive days. The appeal must therefore be summarily dismissed.

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