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[REDACTED]

FILE: [REDACTED]
MSC 06 088 17282

Office: NEW ORLEANS (FORT SMITH)

Date: JUL 29 2001

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. 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.

for *Michael T. Kelly*
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, New Orleans. That decision is now before the Administrative Appeals Office on appeal. The appeal will be dismissed.

The director denied the application because the applicant did not establish that she continuously resided in the United States for the duration of the requisite period. Specifically, the director quoted Section 245A of the Immigration and Nationality Act, in pertinent part, which provides that the Attorney General shall adjust the status of an alien to that of an alien lawfully admitted for temporary residence if the alien establishes, in part, continuous residence since 1982. The alien must establish that he or she entered the United States before January 1, 1982 and that he or she has resided continuously in this country in an unlawful status since that date and through the date the application is filed. The director stated, in part, that the applicant's Form I-687 listed no United States address prior to 1988 and that, in an interview in September, 2006, the applicant stated that she made her first entry into the United States in 1988.

On appeal, the applicant asserted that she had established that she had been continuously present in the United States since November 6, 1986, and through the date her legalization application was filed. She asked that the record be reviewed and her appeal considered.

However, the applicant failed to specifically address the director's analysis of her evidence, and did not furnish any additional evidence. Specifically, the applicant did not address the director's finding that she had not established her continuous unlawful residence prior to January 1, 1982 through the date the application for legalization was filed. The applicant states, on appeal, only that she has resided continuously in the United States since November 6, 1986. Further, the record of proceeding provides no evidence that the applicant resided in the United States prior to 1988.

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. On appeal, the applicant has not presented additional evidence. Nor has she specifically addressed the basis for denial. The appeal must therefore be summarily dismissed.

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