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FILE: [REDACTED]  
MSC-06-031-18863

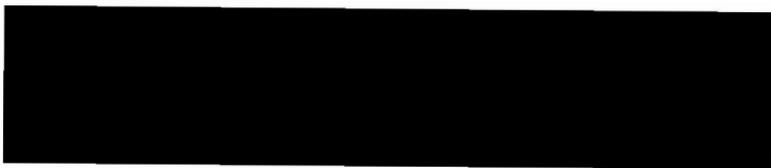
Office: NEW YORK

Date: **JUN 03 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. 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 District Director, New York. The decision 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 with the application was insufficient to establish eligibility for Temporary Resident Status pursuant to the terms of the CSS/Newman Settlement Agreements. Specifically, in her Notice of Intent to Deny (NOID), issued April 13, 2006, the director noted that on April 18, 2001, the applicant signed a G-325A Biographic Information Form on which he listed his last address outside the United States to be in Chittagong, Bangladesh from his date of birth continuously until October 1991. The director further noted that her office found the affidavits submitted by the applicant to lack credibility. Because of this, the director found the applicant failed to meet his burden of proving that he resided continuously in the United States for the duration of the requisite period. She granted the applicant 30 days within which to submit additional evidence in support of his application. Though she noted that her office received evidence from the applicant in response to her NOID, she found it was not sufficient to overcome her grounds for denial. Therefore, because the applicant did not meet his burden of proving that he maintained continuous residence during the requisite period, the director denied the application.

On appeal, the applicant states that the decision of the director is arbitrary. He requests a favorable decision on his case.

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.