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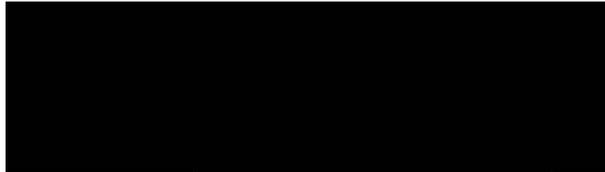
U.S. Department of Homeland Security  
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U.S. Citizenship  
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FILE: [REDACTED]  
MSC-05-087-10053

Office: NEW YORK

Date: JUN 11 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: 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.

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 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 June 21, 2005, the director stated that though the applicant submitted an affidavit from [REDACTED] from the Hotel Bryant as evidence in support of his application, the director found this affidavit was not sufficient to meet the applicant's burden of proving that he resided in the United States for the duration of the requisite period. Therefore, she found the applicant did not meet his burden of proving that he was eligible to adjust to temporary resident status. The director afforded the applicant 30 days within which to submit additional evidence in support of his application. In her decision, dated November 3, 2006, the director noted that she did not receive additional evidence from the applicant in support of his application. Therefore, she found that the applicant did not overcome her reasons for denial as stated in her NOID.

On appeal, the applicant states that he believes his previously submitted affidavit from [REDACTED] is sufficient to establish that he is eligible to adjust to temporary resident status. He states that it is difficult to obtain additional evidence in support of his application. The applicant does not submit additional evidence.

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.