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**U.S. Citizenship
and Immigration
Services**

L1

FILE:

MSC 06 035 10016

Office: SEATTLE

Date: **JUN 27 2008**

IN RE:

Applicant:

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.

A handwritten signature in black ink, appearing to read "Robert P. Wiemann".

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, Seattle. That decision is now before the Administrative Appeals Office on appeal. The appeal will be dismissed.

The director's decision denied the applicant's Form I-687 because the applicant did not establish that she entered the United States before January 1, 1982, and that she resided in a continuous unlawful status, except for brief absences, from before January of 1982 until the date the applicant was turned away by service officials when she tried to apply for legalization, and, because the applicant did not establish that she was continuously present in the United States, except for brief, casual and innocent departures, from November 6, 1986 until the date she was turned away by the service when she tried to apply for legalization.

On appeal, on the Form I-694 (Notice of Appeal) counsel summarizes the reason for the appeal as follows:

Due weight was not accorded with the witness affidavit[s] which testify to my presence in the United States since before 01/01/86.

The applicant does not specifically address the basis of the director's denial nor offer any new evidence in that regard. The appellant must do more than simply request an appeal or state that the director erred by not properly weighing the evidence. 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 new 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.