



U.S. Citizenship
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Services

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[REDACTED]

FILE:

MSC 06 097 29246

Office: NEW ORLEANS (FORT SMITH) Date: **JUN 27 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.

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, New Orleans. 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, the applicant states on the Form I-694 (Notice of Appeal) as follows:

DEAR SIRs:

PLEASE CONSIDER MY APPEAL[.] ATTACHED [IS PROOF] THAT I HAVE BEEN IN THIS COUNTRY [MORE THAN] 20 YRS[.] I WENT TO SCHOOL HERE IN [THE] USA[.] MY KIDS [WERE] BORN IN THIS COUNTRY. PLEASE REVIEW YOUR RECORDS AND THE ORIGINAL DOCUMENTS SENT WITH THE ORIGINAL APPLICATION[.] YOUR HELP IS VERY MUCH APPRECIATED.

The applicant also submitted, on appeal, copies of the following documents which had been previously submitted into the record of proceeding: the applicant's 1990 – 91 Belmont High School identity card; the applicant's 1994 high school diploma; the applicant's 2005 Arkansas drivers license; the applicant's 1991 California identification card; the applicant's Arkansas vehicle registration certificate which bears an expiration date of 4/30/2006; the applicant's report cards for 1990 and 1991; and the 1992 and 1994 birth certificates of the applicant's children. The applicant submitted no new evidence on appeal, and the evidence does not establish the applicant's unlawful residence in the United States for the requisite period.

The applicant does not address the basis of the director's denial nor offer any new evidence in that regard. 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.