



U.S. Citizenship
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Services

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FILE: [REDACTED] Office: PORTLAND FIELD OFFICE Date: MAR 11 2008
MSC-04-331-21301

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. The file has been returned to the office that originally decided your case. If your appeal was sustained, or if your case was remanded for further action, you will be contacted. If your appeal was dismissed, 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.

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 Director, Portland Field Office, and is now before the Administrative Appeals Office (AAO) on appeal. The appeal will be dismissed.

The director denied the application because she found that the applicant failed to establish that she resided in the United States throughout the requisite period. Specifically, the applicant stated in her interview with an immigration officer that she left the United States in 1982 and did not return until 1989.

On appeal, the applicant stated that she submitted her Form I-687 application because she is eligible for temporary resident status. She stated that she first entered the United States in 1981, left in 1982 for about four weeks, returned and then went out of the United States again for a very short period in 1989. It is noted that the record contains a written statement confirming the applicant's oral statements indicating that she was absent from the United States from 1982 to 1989, signed by the applicant. The applicant stated that she submitted genuine and credible affidavits from two United States citizens who knew the circumstances of her residency. It is noted that the record contains only affidavits that fail to confirm that the applicant resided in the United States during the requisite period.

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 she addressed the grounds stated for denial. Specifically, the applicant failed to provide any explanation of her written and oral statements indicating that she did not reside continuously in the United States throughout the requisite period. The appeal must therefore be summarily dismissed.

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