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U.S. Department of Homeland Security  
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Washington, DC 20529



U.S. Citizenship  
and Immigration  
Services

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FILE:

[REDACTED]

Office: NEW YORK

Date:

**MAY 02 2008**

MSC 05 337 11490

IN RE:

Applicant:

[REDACTED]

APPLICATION: Application for Temporary Resident Status under Section 245A of the  
Immigration and Nationality Act, as amended, 8 U.S.C. § 1255a

ON BEHALF OF APPLICANT:

[REDACTED]

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 (director) in New York City. It is now on appeal before the Administrative Appeals Office (AAO). The appeal will be dismissed.

On September 20, 2007 the director denied the application on the grounds that the applicant failed to establish his continuous unlawful residence and continuous physical presence in the United States during the requisite time periods, in accordance with section 245A(a)(2) and (3) of the Immigration and Nationality Act, 8 U.S.C. § 1255a(a)(2) and (3), and 8 C.F.R. § 245a.2(b)(1).

On appeal the applicant asserts that he lost some documents during a move from one residence to another. He requests additional time to search for additional evidence. Since filing the appeal, however, the applicant has not submitted any further evidence.

As provided 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 shows that the director accurately set forth a legitimate basis for denial of the application. On appeal, the applicant has not addressed the specific bases for denial, and has not presented additional evidence. The appeal must therefore be summarily dismissed.

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