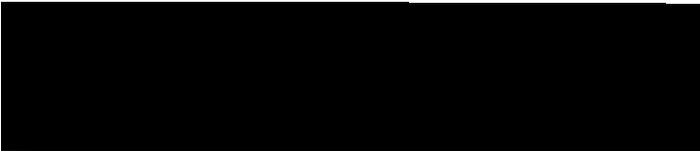


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prevent clearly unwarranted
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U.S. Citizenship
and Immigration
Services

PUBLIC COPY



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FILE:

[Redacted]
MSC-05-196-10177

Office: CLEVELAND

Date:

MAY 05 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:

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 Records 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, Cleveland. The decision is now before the Administrative Appeals Office (AAO) on appeal. The appeal will be dismissed.

The applicant submitted a Form I-687, Application for Status as a Temporary Resident under Section 245A of the Immigration and Nationality Act (Act), and a Form I-687 Supplement, CSS/Newman Class Membership Worksheet. The director indicated that the applicant failed to submit additional evidence in response to the Notice of Intent to Deny (NOID). The director denied the application for the reasons stated in the NOID. Specifically, the director stated that the applicant failed to demonstrate eligibility for temporary resident status. It is noted that the record indicates the applicant failed to provide any evidence in support of his claim to have resided in the United States throughout the requisite period.

On appeal, the applicant stated that he lacked a Social Security number during his first stay in the United States. Therefore, he was not able to open bank accounts, rent houses, or accomplish any other activities that would provide him with written proof to submit. During this time, the applicant was self-employed as a street vendor and did not use receipts or other documents to keep record of his activities. The applicant provided no additional evidence or explanation to overcome the reasons for denial of his application. Specifically, the applicant failed to provide any evidence to support his claim of continuous residence throughout the requisite period, and the applicant failed to provide any explanation of his inability to obtain affidavits from individuals with knowledge of his residence 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 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.