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

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FILE: [REDACTED]
MSC-06-038-13406

Office: NEW ORLEANS

Date: **MAY 19 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 "R. Wiemann", with a horizontal line extending to the right.

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

The director denied the application because she found the evidence submitted with the application was insufficient to establish eligibility for Temporary Resident Status pursuant to the terms of the CSS/Newman Settlement Agreements. Specifically, she stated that the applicant's Form I-687 showed that the applicant had resided in the United States since 1986. She went on to say that at the time of the applicant's interview with a Citizenship and Immigration Services (CIS) officer on November 2, 2006, he stated that the first time he entered the United States was in August 1986. The director cited Section 245A(a)(2)(a) of the Immigration and Nationality Act which states that applicants for adjustment to Temporary Resident Status must establish that they entered the United States before January 1, 1982 and then continuously resided since such date and through the end of the requisite period. Here, the director found that the applicant did not establish that he entered prior to January 1, 1982. Therefore, she denied the application.

On appeal, the applicant states that he has resided in the United States for 20 years. He requests that USCIS reconsider his case.

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.