



U.S. Citizenship  
and Immigration  
Services

identifying data deleted to  
prevent clearly unwarranted  
invasion of personal privacy

PUBLIC COPY



41

FILE: [REDACTED]  
MSC-05-285-13026

Office: LOS ANGELES

Date: MAY 21 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.

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, Los Angeles. 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, the director stated that inconsistencies between the applicant's testimony at the time of her interview with a Citizenship and Immigration Services (CIS) officer on May 3, 2006 and evidence in the record cast doubt on the credibility of the applicant's assertion that she entered the United States before January 1, 1982 and then resided in the United States for the duration of the requisite period. The director also noted that evidence in the record was internally inconsistent. Because the applicant did not meet her burden of proving that she maintained continuous residence during the requisite period, the director denied the application.

On appeal, the applicant states that she was pressured and confused on the date of her interview, which caused misunderstandings at that time. She resubmits previously submitted documents.

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. A review of the record shows that the applicant has submitted evidence that is not consistent regarding her residence and employment during the requisite period. Confusion during the course of her interview could not have caused these inconsistencies. On appeal, the applicant has not presented additional new evidence. The appeal must therefore be summarily dismissed.

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