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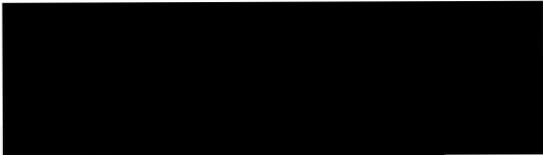
U.S. Department of Homeland Security  
20 Massachusetts Ave., N.W., Rm. 3000  
Washington, DC 20529-2090  
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U.S. Citizenship  
and Immigration  
Services

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FILE:



Office: PHILADELPHIA

Date: **NOV 13 2008**

MSC 06 084 12567

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 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 "John F. Grissom".

John F. Grissom, Acting 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, Philadelphia. 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 on December 23, 2005. Upon review, the director determined that insufficient evidence had been presented to establish eligibility under section 245A of the Act. On July 6, 2006, the director issued a notice of intent to deny (NOID) stating that the applicant had failed to provide documentation establishing his eligibility for temporary resident status under section 245A of the Act. In response to the NOID, the applicant submitted a copy of his Form I-687 dated January 19, 1990, legalization questionnaire, interview notice for determination of subclass membership, LULAC class member declaration and supporting statements from [REDACTED] and [REDACTED]. The director denied the application, finding that the applicant had not provided credible evidence to establish eligibility under section 245A of the Act.

On appeal, the applicant asserts that he submitted copies of all the documents he had on file. The documents submitted on appeal are the same documents the applicant submitted in response to the NOID with the exception of a letter dated March 9, 2006 signed by [REDACTED] of St. Martin of Tours Parish. The letter states that the applicant is a member and regularly attends Sunday Mass and other church activities.

The regulation at 8 C.F.R. § 245a.2(d)(3)(v) provides requirements for attestations made on behalf of an applicant by churches, unions, or other organizations. Attestations must (1) identify applicant by name; (2) be signed by an official (whose title is shown); (3) show inclusive dates of membership; (4) state the address where applicant resided during membership period; (5) include the seal of the organization impressed on the letter or the letterhead of the organization, if the organization has letterhead stationery; (6) establish how the author knows the applicant; and (7) establish the origin of the information being attested to. The [REDACTED] statement does not comply with this regulation in that it does not show the inclusive dates of membership, the applicant's address during the membership period and the origin of the information. Thus, the statement will be given no weight.

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. The applicant on appeal provided no new evidence or explanation to overcome the reasons for denial of his application

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 and has not addressed the grounds stated in the director's denial. The appeal must therefore be summarily dismissed.

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