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U.S. Citizenship
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Services

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FILE: [REDACTED]
MSC-06-095-10824

Office: LOS ANGELES

Date: OCT 24 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. The file has been returned to the office that originally decided your case. If your appeal was sustained, or if your case was remanded for further action, you will be contacted. If your appeal was dismissed, 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.


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 Field Office Director, Los Angeles, and that 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 noted that the applicant submitted affidavits from employers during the requisite period, however, the applicant did not list any employers on his Form I-687. The director also noted that the applicant failed to comply with the Citizenship and Immigration Services (CIS) request for additional evidence in support of his continuous residence during the relevant period.

On appeal, the applicant states, "I am a good person with a good moral character, entered the U.S. for the first time in 1978 and have been residing here ever since. I have been a member of Sacred Heart Church since 1980." In support of his appeal, the applicant submits a letter from Monsignor [REDACTED] of Sacred Heart Church in Compton, California. In this letter, the Monsignor indicates that the applicant "states that he has been attending our parish since 1980. Unfortunately we do not have records of registration, due to the change of pastor here in the parish." Therefore, this letter is of minimal evidentiary value. The applicant provided no additional evidence or explanation to overcome the reasons for denial of his application.

Since the applicant has failed to meet the burden of proof by a preponderance of the evidence that he resided continuously in the United States for the requisite period, the appeal will be dismissed.

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 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.