

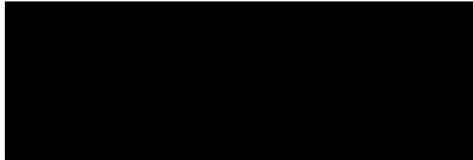
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U.S. Department of Homeland Security  
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U.S. Citizenship  
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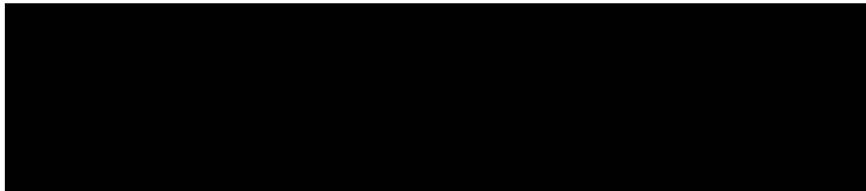
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FILE: [REDACTED] Office: LOS ANGELES Date: **SEP 18 2008**  
MSC 06 102 22346

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:



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 "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, Los Angeles. That decision is now before the Administrative Appeals Office on appeal. The appeal will be dismissed.

The director denied the application because the applicant did not establish that he continuously resided in the United States for the duration of the requisite period. Specifically, the director noted that the applicant testified under oath that he first entered the United States in September of 1982, and that the applicant is statutorily ineligible for the immigration benefit sought as entry was not made prior to January 1, 1982.

On appeal, counsel states on the Form I-694 that the applicant has established that he entered the United States prior to January 1, 1982, that he resided continuously in this country since that time, and that he is eligible for benefits as a class member pursuant to the CSS/Newman settlements. Counsel states that a brief in support of the appeal will be filed within 30 days. To date, no brief has been filed, nor has additional information been submitted in support of the appeal. The record is, therefore, deemed complete and ripe for adjudication.

As stated in 8 C.F.R. § 103.3(a)(3)(iv), any appeal that fails to state the reason for appeal, or is patently frivolous, will be summarily dismissed.

A review of the decision reveals that the director accurately set forth a legitimate basis for denial of the application. Counsel did not specifically address the basis of the director's denial, that the applicant admitted under oath that he did not enter the United States prior to January 1, 1982, nor did he present additional evidence in support of the appeal. The appeal must therefore be summarily dismissed.

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