



U.S. Citizenship
and Immigration
Services

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FILE: [REDACTED]
MSC-05-244-13369

Office: NEW YORK

Date: DEC 20 2007

IN RE: Applicant: [REDACTED]

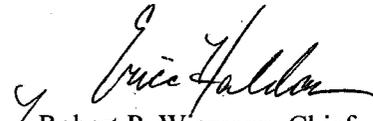
APPLICATION: Application for Status as a Temporary Resident pursuant to Section 245A of the Immigration and Nationality Act, as amended, 8 U.S.C. § 1255a

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 was denied by the Director, New York District Office. 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 applicant failed to submit additional evidence in response to a Notice of Intent to Deny (NOID). The director denied the application for the reasons stated in the NOID. The NOID stated that the applicant failed to meet the burden of proof that he qualifies for temporary resident status. Specifically, he failed to submit credible documents demonstrating by a preponderance of the evidence that he resided in the United States during the requisite period. The director stated that the applicant's testimony in the interview with an immigration officer lacked credibility because the applicant was unable to provide detail regarding his residence in the United States during the requisite period, despite the fact that the applicant was 14 years old at the end of the requisite period.

On appeal, the applicant stated that he submitted all the evidence he has to support his eligibility for temporary resident status. He indicated he was too young when he came to the United States, so he is unable to provide additional evidence. He stated that he entered the United States in December 1981. The applicant provided no additional evidence or explanation to overcome the reasons for denial of his application. Specifically, the applicant provided no explanation of his non-credible testimony.

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.