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**U.S. Citizenship
and Immigration
Services**

W

[REDACTED]

FILE: [REDACTED]
XSD 87 057 0008

Office: CALIFORNIA SERVICE CENTER

Date: FEB 12 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:

[REDACTED]

INSTRUCTIONS:

This is the decision of the Administrative Appeals Office in your case. All documents have 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.

A handwritten signature in black ink, appearing to read "R. Wiemann".

Robert P. Wiemann, Chief
Administrative Appeals Office

DISCUSSION: The application for temporary resident status was denied by the Director, California Service Center. The matter subsequently came before the Administrative Appeals Office (AAO) on appeal and was remanded pending further litigation of *Proyecto San Pablo v. Immigration and Naturalization Service*, 784 F. Supp. 738 (D. Ariz. 1991). The matter is back before the AAO on appeal. The appeal will be dismissed.

The director determined that the applicant was deported on March 4, 1982. Accordingly, the director concluded that the applicant is ineligible to adjust his status to that of a temporary resident because his continuous residence was interrupted by an absence, which resulted from an order of deportation after January 1, 1982.

On appeal, counsel disputes the director's finding and asserts that the applicant is eligible for the benefit sought. The record shows that Citizenship and Immigration Services (CIS) complied with the applicant's Freedom of Information Act request on June 2, 1999. However, to date, neither counsel nor the applicant has provided evidence or information to overcome the ground cited in the director's denial dated March 11, 1999.

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.