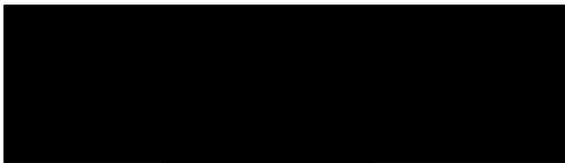




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FILE: [REDACTED]  
MSC-06-081-13305

Office: LOS ANGELES

Date: **NOV 01 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, Los Angeles District Office, and 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, she stated in her decision that she found the applicant did not establish that he was admissible as an immigrant pursuant to the Immigration and Nationality Act § 245A(a)(4)(B) which specifies that in order to be admissible as an immigrant an applicant must establish that he or she has not been convicted of a felony or three or more misdemeanors committed in the United States. Here, the director noted that on July 12, 2004 the applicant was convicted in Superior Court of the State of California of driving while under the influence of alcohol, which is a misdemeanor violation under California Vehicle Code § [REDACTED]. On February 4, 2005 the applicant was also convicted of violations of California Penal Code §§ 240 and 242, assault with the intent to cause bodily injury and battery respectively, both misdemeanors as convicted. The Service reviewed the applicant's court dispositions and determined that he had been convicted of three (3) or more misdemeanors. Therefore, the director found the applicant was inadmissible as an immigrant and denied his application.

On appeal, the applicant submits a Form I-694 on which he states he will submit a brief within thirty (30) calendar days. It is noted that the Service received his Form I-694 on March 18, 2007. As of October 16, 2007 the Service has not received a brief from this applicant in support of his appeal. The applicant provided no additional evidence or explanation to overcome the reasons for denial of his application.

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.