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U.S. Department of Homeland Security
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U.S. Citizenship
and Immigration
Services

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FILE: [REDACTED]
MSC-06-035-12036

Office: PHILADELPHIA

Date: DEC 12 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:



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.

John F. Grissom, Acting 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 Director, Philadelphia. The decision is now before the Administrative Appeals Office (AAO) on appeal. The appeal will be dismissed.

The director denied the application because he 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 a lease agreement purportedly covering a lease term from 1981 until 1982, however, the address on the lease was different than the address where the applicant indicated on his Form I-687 he lived during that period. The director also noted that the record contains a copy of a divorce judgment relating to the applicant's first marriage in India in 1981. This document indicates that the applicant had three children with his first wife, born in 1982, 1984, and 1986 respectively. This contradicts the applicant's testimony on his Form I-687 that he entered the United States in 1980 and did not return to India until 1996. Noting the inconsistencies and the paucity of credible evidence in the record, the director denied the application on February 6, 2007.

On appeal, the applicant indicates that his children were born in 1976, 1978 and 1980 and that he "corrected these mistakes" during his interview with Citizenship and Immigration Service (CIS). He indicates that he was unable to procure the children's birth certificates. He offers no additional explanation which would resolve the additional inconsistencies noted by the director, nor does he submit additional evidence of his continuous unlawful residence during the relevant period.

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.