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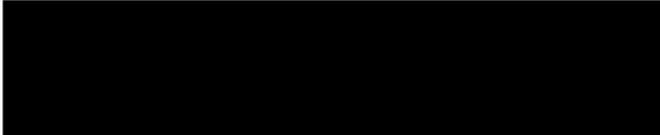
U.S. Department of Homeland Security
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U.S. Citizenship
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FILE: [REDACTED]
MSC-06-025-13750

Office: LOS ANGELES

Date: NOV 07 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: SELF-REPRESENTED

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.


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 Field Office Director, Los Angeles, and that decision is now before the Administrative Appeals Office (AAO) on appeal. The appeal will be dismissed.

The director denied the application because the applicant had not demonstrated that she had continuously resided in the United States in an unlawful status since before January 1, 1982 through May 4, 1988. Specifically, the applicant indicated that she first entered the United States on October 1, 1981. However, the director noted that on June 22, 1999, the applicant filed a Form I-589 application for asylum in which she indicated that she first left Mexico and entered the United States in October 1986. The director also noted that the applicant submitted two affidavits in support of her application that concern the relevant period.

The first affiant, [REDACTED] indicated that he met the applicant in 1986. The second affiant, [REDACTED], indicated that the applicant worked for him seasonally, for approximately 100 days each year, from November 1981 until December 1988. The director noted that this evidence is insufficient to establish by a preponderance of the evidence that the applicant entered the United States prior to January 1, 1982 and resided continuously in the United States for the duration of the requisite period.

On appeal, the applicant states that, "the affidavits and the testimony he gave all verify he was in the United States during the appropriate time period." The applicant does not submit any additional information or evidence on appeal.

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 she 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.