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U.S. Citizenship
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Services

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FILE: [REDACTED]
MSC-06-098-12377

Office: PHILADELPHIA

Date: OCT 30 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. 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 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, Philadelphia, and that decision is now before the Administrative Appeals Office (AAO) on appeal. The appeal will be dismissed.

The director denied the application because he found that the evidence submitted with the application was insufficient to establish eligibility for Temporary Resident States pursuant to the terms of the CSS/Newman settlement agreements. Specifically, the director noted that the affidavits submitted in support of the application are inconsistent and do not contain sufficient detail to be of probative value. Furthermore, several of the affiants indicate that they met the applicant during the 1990's which is after the period of time relevant to this application.

On appeal, the applicant states "I have proved in several occasions that I qualify for prima facie eligibility under the [REDACTED] class lawsuit. We don't know what else to do. My husband has also applied several times and he included me in his application as a Family Unity. Our files have been moved from state to state and they may have been lost. This is not our fault and it should not be held against us." The applicant did not address the director's stated grounds for denial, nor did she submit any additional 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 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.