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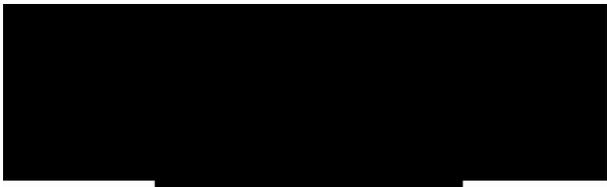
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U.S. Department of Homeland Security
20 Mass. Ave., N.W., Rm. 3000
Washington, DC 20529-2090



U.S. Citizenship
and Immigration
Services

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FILE: [Redacted]
MSC 06 007 10930

Office: CINCINNATI

Date: APR 01 2009

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.

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, Cincinnati. That decision is now before the Administrative Appeals Office on appeal. The appeal will be dismissed.

The director denied the application because the applicant did not establish that he continuously resided in the United States for the duration of the requisite period. Specifically, the director noted that the applicant had not established that he entered the country prior to January 1, 1982, and that the proof submitted by the applicant did not establish the applicant's eligibility for the immigration benefit sought.

On appeal, the applicant states that he has attempted to reach witnesses who knew him during the requisite period, but has been unable to do so. The applicant submitted, on appeal, a witness statement from [REDACTED] issued on October 17, 2006, prior to the director's decision on April 10, 2007. [REDACTED] is a resident of Niger and states simply that the applicant has been living in the United States since 1981. It provides no additional information about how the witness knows of the applicant's circumstances or whereabouts during the requisite period. The statement does not indicate how the witness knows the applicant. A second witness statement submitted on appeal [REDACTED] is dated October 27, 2006, prior to the director's decision, was previously filed of record and states simply that the applicant has been residing in the United States since 1981. This statement provides no additional information about how the witness knows of the applicant's circumstances or whereabouts during the requisite period. The statement does not indicate how the witness knows the applicant. The applicant did not otherwise discuss the basis of the director's denial, the basis of his appeal, or submit additional evidence in support of the appeal.

As stated in 8 C.F.R. § 103.3(a)(3)(iv), any appeal that fails to state the reason for appeal, or is patently frivolous, will be summarily dismissed.

A review of the decision reveals that the director accurately set forth a legitimate basis for denial of the application. The applicant did not specifically address the basis of the director's denial nor did he present additional evidence in support of the appeal. The appeal must therefore be summarily dismissed.

ORDER: The appeal is dismissed. This decision constitutes a final notice of ineligibility.