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U.S. Department of Homeland Security  
U.S. Citizenship and Immigration Services  
Office of Administrative Appeals MS 2090  
Washington, DC 20529-2090



U.S. Citizenship  
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FILE:

[Redacted]  
MSC 06 080 11727

Office: LOS ANGELES

Date:

**AUG 21 2009**

IN RE: Applicant:

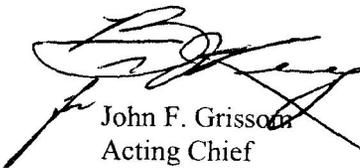


APPLICATION: Application for Temporary Resident Status under Section 245A of the Immigration and Nationality Act, as amended, 8 U.S.C. § 1255a

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. Grisson  
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) on 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) on February 17, 2004 (CSS/Newman Settlement Agreements), was denied by the director in Los Angeles, California. It is now on appeal before the Administrative Appeals Office (AAO). The appeal will be summarily dismissed.

On June 28, 2007, the director issued a Notice of Decision denying the application on the grounds that the applicant failed to establish her continuous unlawful residence and continuous physical presence in the United States during the requisite time periods, in accordance with section 245A(a)(2) and (3) of the Immigration and Nationality Act (Act), 8 U.S.C. § 1255a(a)(2) and (3); the regulation at 8 C.F.R. § 245a.2(b)(1); as well as the CSS Settlement Agreement, paragraph 11 at page 6, and the Newman Settlement Agreement, paragraph 11 at page 10. Specifically, the director found that the evidence of record failed to establish that the applicant resided continuously in the United States in an unlawful status from before January 1, 1982, and was continuously physically present in the United States from November 6, 1986, through the date she attempted to file during the original one-year application period for legalization that ended on May 4, 1988.

The applicant filed an appeal (Form I-694) on July 18, 2007. On the appeal form the applicant checked a box indicating that her written brief or statement was attached, and she made no further entry in the space reserved to summarize the reasons for the appeal. The only materials attached to the appeal form, however, are copies of the Notice of Decision and four affidavits from friends and relatives that were originally submitted with the application for temporary resident status (Form I-687) in December 2005. Thus, no new legal argument or additional evidence has been submitted in support of the appeal.

As provided 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 shows that the director accurately set forth a legitimate basis for denial of the application. The applicant has not identified any specific reasons for her appeal, and has not presented any additional evidence of her continuous unlawful residence and continuous physical presence in the United States during the requisite periods to qualify for temporary resident status in accordance with section 245A(a)(2) and (3) of the Act. The appeal must therefore be summarily dismissed.

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