

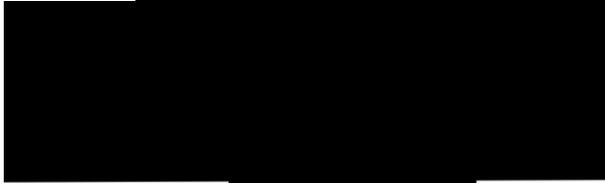
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U.S. Department of Homeland Security
U. S. Citizenship and Immigration Services
Office of Administrative Appeals MS 2090
Washington, DC 20529-2090



U.S. Citizenship
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Services

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FILE: [REDACTED]
MSC-04-365-10093

Office: NEWARK

Date:

JUN 30 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. If your appeal was sustained, or if your case was remanded for further action, you will be contacted. If your appeal was dismissed or rejected, 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.

A handwritten signature in cursive script, appearing to read "John F. Grissom".

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, Newark. The decision is now before the Administrative Appeals Office (AAO) on appeal. The appeal will be dismissed.

The director denied the application, finding that the applicant had failed to offer sufficient credible evidence to prove that he had resided in the United States continuously since before January 1, 1982.

On appeal, the applicant acknowledges that he has not submitted sufficient evidence but disagrees with the director's decision. The applicant states that he cannot produce additional evidence because of his immigration status and because it is difficult to gather evidence from over 25 years ago.

Pursuant to 8 C.F.R. § 242a.2(d)(5) the applicant has the burden of proving by a preponderance of the evidence that he has resided in the United States for the requisite periods.

A review of the decision reveals the director accurately set forth a legitimate basis for denial of the application. 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.

On appeal, the applicant has not addressed the grounds stated for denial, nor has he presented additional evidence relevant to the grounds for denial or the stated reason for appeal. The appeal must therefore be summarily dismissed.

The record contains a Form G-28 signed by an individual who is not authorized to represent the applicant before United States Citizenship and Immigration Service (USCIS) under 8 C.F.R. § 292.1. Notice of this decision will only be furnished to the applicant.

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