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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
and Immigration
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[Redacted]

FILE: [Redacted] Office: LOS ANGELES Date: **OCT 05 2009**
MSC 05 131 12780
MSC 08 044 11474-APPEAL

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:
[Redacted]

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

The applicant submitted a Form I-687, Application for Status as a Temporary Resident under Section 245A of the Immigration and Nationality Act, and a Form I-687 Supplement, CSS/Newman (LULAC) Class Membership Worksheet. The director denied the application on June 12, 2006 because the applicant had failed to submit requested evidence. The applicant appealed the director's determination. The director reopened the matter and issued a new finding dated October 15, 2007 finding that the applicant did not establish that he continuously resided in the United States for the duration of the requisite period. In so finding, the director found, in part, that although the applicant testified that he studied in Mexico the entire semester from August 1989 to August 1990, he had not listed that absence from the United States on his Form I-687. The director also noted that the applicant presented a special achievement award from the Los Angeles Unified School District called "Happy Gram" for "P.E" dated June 11, 1980, a date prior January 15, 1981, the date the applicant said he first came to the United States. The director then noted that the applicant's two immunization cards contained conflicting information and also contradict the applicant's assertion that he was studying abroad from August 1989 to August 1990.

On appeal, the applicant objects to the way his case has been processed, states he does not know why his immunization cards show discrepant information and argues that justice would be served if his application were approved.

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 that the director accurately set forth a legitimate basis for the denial of the application. On appeal, the applicant has not addressed the grounds stated for denial, nor has he presented additional evidence. The appeal shall therefore be summarily dismissed.

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