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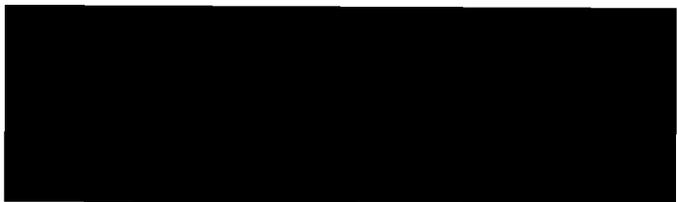
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U.S. Department of Homeland Security  
U.S. Citizenship and Immigration Services  
Office of Administrative Appeals MS 2090  
Washington, DC 20529 - 2090



**U.S. Citizenship  
and Immigration  
Services**

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FILE: [REDACTED]  
MSC-05-067-10077

Office: LOS ANGELES

Date: **APR 01 2010**

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.

A handwritten signature in black ink, appearing to read "Perry Rhew".

Perry Rhew  
Chief, Administrative Appeals Office

**DISCUSSION:** The director of the Los Angeles office terminated the temporary residence of the applicant, pursuant to the terms of the CSS/Newman Settlement Agreements, finding the applicant to be ineligible for temporary residence. The matter is now before the Administrative Appeals Office (AAO) on appeal. The appeal will be dismissed.

The director determined that the applicant had not established that he resided in the United States in a continuous unlawful status from before January 1, 1982 for the duration of the requisite statutory period. Section 245A(a)(2) of the Act, 8 U.S.C. § 1255a(a)(2). More specifically, the director found that the applicant had not established by a preponderance of the evidence that he entered the United States as a nonimmigrant prior to January 1, 1982 and that his authorized stay expired before such date, or that he violated the terms of his nonimmigrant status in a manner known to the Government as of January 1, 1982. 8 C.F.R. 245a.2(b)(2) and (3). The director based his decision upon the applicant's testimony that he first entered the United States on December 19, 1981 with a B-2 nonimmigrant visa, with a period of stay authorized for six months. The applicant's testimony was supported by a copy of the applicant's passport, containing a multiple-entry B-2 nonimmigrant visa issued in Mexico on December 15, 1981 and a December 19, 1981 entry stamp. The applicant also testified that he remained in the United States for three months after his initial entry. Therefore, the director terminated the applicant's temporary residence on the basis that the applicant remained in legal status prior to January 1, 1982, and was therefore ineligible for temporary residence. Section 245A(b)(2)(A) of the Immigration and Nationality Act, 8 U.S.C. § 1255a(b)(2)(A), and 8 C.F.R. § 245a.2(u)(i).

On appeal, the applicant asserts that he has lived in the United States continuously since 1981. The applicant has submitted statements from his aunt and a neighbor, stating that he has lived in the United States for all or a portion of the requisite period.

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 the termination of the applicant's temporary resident status. On appeal, the applicant has not addressed the grounds stated for the termination of his status, nor has he presented additional evidence relevant to the grounds for termination. The appeal must therefore be summarily dismissed.

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