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U.S. Department of Homeland Security  
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Washington, DC 20529



U.S. Citizenship  
and Immigration  
Services

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[Redacted]

FILE: [Redacted] MSC-06-029-12028

Office: LOS ANGELES

Date: DEC 06 2007

IN RE: Applicant: [Redacted]

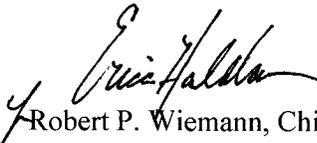
APPLICATION: Application for Status as a Temporary Resident pursuant to Section 245A of the Immigration and Nationality Act, as amended, 8 U.S.C. § 1255a

ON BEHALF OF APPLICANT:

[Redacted]

INSTRUCTIONS:

This is the decision of the Administrative Appeals Office in your case. The file has been returned to the office that originally decided your case. If your appeal was sustained, or if your case was remanded for further action, you will be contacted. If your appeal was dismissed, 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.

  
Robert P. Wiemann, 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 District Director, Los Angeles, California. The decision is now before the Administrative Appeals Office (AAO) on appeal. The appeal will be dismissed.

The director denied the application because she found the evidence submitted with the application was insufficient to establish eligibility for Temporary Resident Status pursuant to the terms of the CSS/Newman Settlement Agreements. Specifically, the director noted that testimony given at the time of the applicant's interview with a Citizenship and Immigration Services (CIS) officer regarding the dates she met two individuals from whom she submitted affidavits was not consistent with information in the affidavits from those individuals. The director noted that the affidavits submitted by the applicant did not contain proof that the affiants were in the United States during the requisite period or proof that they had a relationship with the applicant during that time. The director went on to say that the applicant's testimony, when combined with evidence submitted in support of her application was not sufficient to prove by a preponderance of the evidence that she resided in the United States for the duration of the requisite period.

On appeal, the applicant resubmits previously submitted documents and a statement dated June 14, 2006 in which she asserts that the statements she made during her interview do not conflict with the affidavits she submitted. She goes on to assert that she continuously resided in the United States for the duration of the requisite period. It is noted here that a review of the record reviews that the director accurately described the inconsistencies between statements in the applicant's sworn statement given at the time of her interview and the testimony contained in affidavits in the record regarding when she met two (2) affiants. The applicant provided no additional evidence or explanation to overcome the reasons for denial of her 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.

A review of the decision reveals the director accurately set forth a legitimate basis for denial of the application. On appeal, the applicant has not presented additional evidence. Nor has she addressed the grounds stated for denial. The appeal must therefore be summarily dismissed.

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