



U.S. Citizenship
and Immigration
Services

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FILE:



Office: HOUSTON

Date: MAY 25 2007

MSC 05 089 10175

IN RE:

Applicant:



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:



INSTRUCTIONS:

This is the decision of the Administrative Appeals Office in your case. All documents have 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, or *Felicity Mary Newman, et al., v. United States Immigration and Citizenship Services, et al.*, CIV. [REDACTED] C.D. Cal) February 17, 2004, (CSS/Newman Settlement Agreements) was denied by the District Director, Houston, Texas, and is now before the Administrative Appeals Office (AAO) on appeal. The appeal will be summarily dismissed.

The director denied the application because the applicant failed to establish that he was eligible for class membership pursuant to the CSS/Newman Settlement Agreements. The director also denied the application because she found the applicant inadmissible to the United States under section 212(a)(6)(C)(i) as an alien who attempted to obtain an immigration benefit through the use of fraud or will misrepresentation of a material fact and also under section 212(a)(4)(A) of the Act as an alien who is likely to become a public charge.

On appeal, counsel for the applicant asserted that the denial of the application is “incorrect, capricious, and arbitrary.” Counsel stated that he would submit a brief and supporting evidence within 30 days of the filing date of the appeal. To date, Citizenship and Immigration Services has not received a brief or any additional evidence in support of the appeal. Therefore, the record will be considered complete.

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, counsel for the applicant has not presented additional evidence. Nor has he addressed the grounds stated for denial of the application. The appeal must therefore be summarily dismissed.

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