



U.S. Citizenship  
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Services

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FILE: [REDACTED]  
MSC-05-171-10671

Office: NEW YORK

Date: **NOV 23 2007**

IN RE: Applicant: [REDACTED]

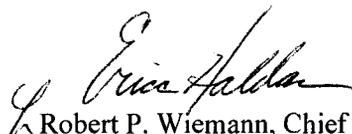
APPLICATION: Application for Status as a Temporary Resident pursuant to Section 245A of the Immigration and Nationality Act, as amended, 8 U.S.C. § 1255a

ON BEHALF OF APPLICANT:

SELF-REPRESENTED

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, New York. 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, in her Notice of Intent to Deny (NOID) she noted that the applicant failed to submit documents that allowed him to prove by a preponderance of the evidence that he resided continuously in the United States for the duration of the requisite period. The director granted the applicant thirty (30) days within which to submit additional evidence in support of his application. Though the director noted that she received additional documentation from the applicant in support of his application, she stated that she found it was insufficient to allow him to overcome her grounds for denial, as the affidavits he submitted did not contain documents identifying the affiants, proof that there was a relationship between the applicant and the affiants and proof that the affiants were in the United States during the requisite period. It is further noted here that none of the affidavits in the record contain contact information, such as phone numbers, at which the affiants can be reached to verify information contained in the affidavits. Therefore, the director found that, as the applicant had submitted unverifiable documentation in support of his application, he did not establish that he was eligible to adjust status to that of a Temporary Resident.

On appeal, the applicant submits a Form I-694 Notice of Appeal of Decision on which he states that he has more evidence that he will submit soon. He indicates on this form that he will submit a brief within thirty (30) calendar days. It is noted here that the Service received the applicant's Form I-694 on June 14, 2006. As of November 7, 2007 the Service has not received a brief or any additional evidence or explanation to overcome the reasons for denial of his 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 he 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.