

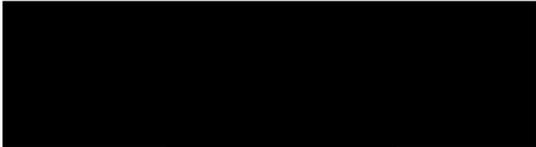
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U.S. Citizenship
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FILE: [REDACTED]
MSC-06-067-13078

Office: NEW ORLEANS, LA

Date: **OCT 29 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 was denied by the Director, New Orleans, Louisiana District Office, and that 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 applicant showed no United States residences on his Form I-687 before 1986 and then stated in his interview with a Citizenship and Immigration Services (CIS) officer that he entered the United States for the first time in February of 1986. Therefore, the director found that the applicant was ineligible to adjust to Temporary Resident Status under Immigration and Nationality Act § 245A(a)(2)(A), which states in pertinent part that to adjust to Temporary Resident Status an applicant must establish that he or she entered the United States before January 1, 1982.

On appeal, the applicant submits a Form I-694 Notice of Appeal of Decision on which he states that he would like to AAO to review his file and reconsider his decision. He submits two (2) affidavits with his Form I-694 that attest to the applicant's good moral character. However, neither affiant claims to have known the applicant during the requisite period of January 1, 1982 to May 4, 1988. Both affiants claim to have met the applicant after this time and, as such, their affidavits are not relevant to establishing that the applicant entered the United States before January 1, 1982 and then continuously resided in an unlawful state until he attempted to apply for legalization during the original filing period. Therefore, it is found that the applicant has provided no additional relevant 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 relevant 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.