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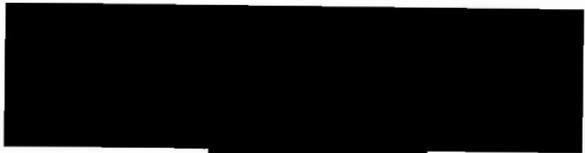
U.S. Department of Homeland Security
20 Mass. Ave., N.W., Rm. 3000
Washington, DC 20529



U.S. Citizenship
and Immigration
Services

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41



FILE:

MSC-05-162-11897

Office: NEW YORK

Date:

APR 21 2008

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:

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 "Robert P. Wiemann".

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), issued August 8, 2006, the director noted that the applicant failed to provide evidence that she entered the United States before January 1, 1982 and then resided continuously in an unlawful status since her date of entry and until she was turned away by Immigration and Naturalization Services, now Citizenship and Immigration Services (CIS) or the Service, during the original legalization filing period; that she was continuously physically present in the United States from November 6, 1986 until she attempted to file for legalization during the original filing period; or that she was admissible as an immigrant. The director granted the applicant thirty (30) days within which to submit additional evidence in support of her application. In her Notice of Decision, dated September 21, 2006, the director noted that the applicant timely submitted additional evidence in support of her application. However, the director found that these documents, affidavits, did not appear credible or amenable to verification. She noted that credible affidavits contain documentation identifying the affiants, proof that the affiants were in the United States during the statutory period and a working daytime telephone number at which the affiants can be reached. The director noted that the affidavits submitted by this applicant were lacking in regard to these criteria. Therefore, the director found the applicant did not meet her burden of proving by a preponderance of the evidence that she resided continuously in the United States for the requisite period. Because the evidence submitted by this applicant was not found sufficient to meet the applicant's burden of proof, the director denied the application.

On appeal, the applicant states that the director erred in her decision. She failed to identify the error made by the director. She further failed to provide 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.