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U.S. Department of Homeland Security
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U.S. Citizenship
and Immigration
Services

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FILE:

Office: LOS ANGELES

Date:

NOV 06 2008

IN RE: Applicant:

APPLICATION: Application for Waiver of Inadmissibility 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. All documents have been returned to the Los Angeles office that originally decided your case legalization application.

A handwritten signature in black ink, appearing to read "R. Wiemann", written over a circular stamp or mark.

Robert P. Wiemann, Chief
Administrative Appeals Office

DISCUSSION: The Application for Waiver of Inadmissibility was denied by the Director, Los Angeles, California, and is now before the Administrative Appeals Office (AAO) on appeal. The appeal will be summarily dismissed.

On September 29, 2005, the applicant submitted Form I-690, Application for Waiver of Grounds of Excludability. The applicant attached a copy of his son's County of Los Angeles, birth certificate showing the child's date of birth as July 4, 1991 in Los Angeles, California. On August 14, 2006, the director denied the waiver application because the applicant did not identify any humanitarian or public interest reasons why the director should grant the waiver. The director notified the applicant of the opportunity to appeal the decision to the AAO.¹

On September 8, 2006 the applicant submitted two Forms I-694, Notice of Appeal of Decision Under Section 210 or 245A and on both Forms I-694 checked the box indicating that the appeal was on the application for temporary residence. The record shows that the applicant paid the required fee for both appeals. The applicant submitted the same evidence on both appeals, evidence relating to his continuous unlawful residence for the requisite time period. The applicant did not submit any evidence or present any argument identifying humanitarian or public interest reasons why the waiver of excludability should be granted.

As the applicant fails to specifically address the director's decision regarding the denial of the waiver application, the appeal must be summarily dismissed. As stated in 8 C.F.R. § 103.3(a)(3)(iv), any appeal that fails to state the reason for appeal, or is patently frivolous, will be summarily dismissed.

A review of the decision reveals that the director set forth a legitimate basis for denial of the Form I-690 application for waiver of admissibility. On appeal, the applicant has not presented additional evidence associated with the waiver application. Nor has he specifically addressed the basis for denial. The appeal must therefore be summarily dismissed.

ORDER: The director's August 14, 2006 decision is affirmed, and the application remains denied.

¹ Also on August 14, 2006, the director denied the applicant's 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). The director also notified the applicant of the opportunity to appeal the matter to the AAO. The applicant timely submitted an appeal and in a separate decision issued this date, the AAO dismissed the appeal.