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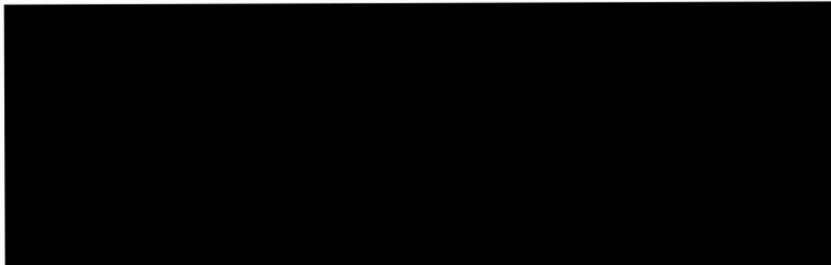
14 2006

FILE:   
MSC-05-348-12348

Office: LOS ANGELES

Date:

IN RE: Applicant:

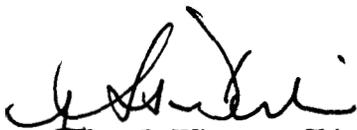


APPLICATION: Application for Status as a Temporary Resident pursuant to Section 245A of the Immigration and Nationality Act, as amended, 8 U.S.C. § 1255a

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.

  
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 Director, Los Angeles. 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, the director stated that the applicant had been convicted of three or more misdemeanors and was therefore ineligible to adjust to temporary resident status. It is noted that the applicant had previously been granted temporary resident status during the original filing period, but that the former Immigration and Naturalization Service (INS) terminated this status on February 10, 1992. This status was terminated after INS provided the applicant 30 days within which to respond to a Notice of Termination, which stated that the applicant was ineligible to for temporary resident status because he had been convicted of three or more misdemeanors.

It is noted that though the applicant had previously successfully submitted a Form I-687 during the original filing period, the director did not deny the applicant's claim of class membership, but rather adjudicated the application on the merits.

On appeal, the applicant states that he was nervous and confused about dates at the time of his interview. He asserts that he continuously resided in the United States for the duration of the requisite period. He submits letters from his children, who assert that their lives will be difficult if their father is returned to Mexico.

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 that is relevant to the director's claim that he has been convicted of three misdemeanors. The appeal must therefore be summarily dismissed.

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