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U.S. Department of Homeland Security
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Washington, DC 20529-2090



U.S. Citizenship
and Immigration
Services

Li

FILE:

MSC 06 101 24494

Office: LOS ANGELES

Date:

APR 01 2009

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.


John F. Grissom, Acting 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 based on section 245A(g)(2)(B)(i) of the Act which provides that “an alien shall not be considered to have resided continuously in the United States, if, during any period for which continuous residence is required, the alien was outside the United States as a result of a departure under an order of deportation” The director found that the applicant had been deported from the United States on May 31, 1985, during the requisite period.

On appeal, the applicant admits that he was deported from the United States on May 31, 1985, but states that he returned to this country illegally within a few days. The applicant apologizes for his errors in the past and asks that his case not be denied.

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 accurately set forth a legitimate basis for denial of the application. The applicant admits the basis of the director’s denial, does not contest the validity of the director’s decision, and does not provide any basis for appeal. The appeal must therefore be summarily dismissed.

It is noted that the applicant has an extensive criminal history. The director asked the applicant to submit court disposition documents for attempted murder charges. The applicant failed to submit those documents. If the applicant reentered the United States after his deportation without prior approval, he is inadmissible under Section 212(a)(9)(A)(i) of the Act.

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