U.S. Department of Homeland Security
U.S. Citizenship and Immigration Services
Office of Administrative Appeals MS 2090
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[redacted]

FILE: [redacted] Office: NEWARK Date: APR 30 2009

MSC 06 090 16149
[MSC 07 212 11830-APPEAL]

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:

[redacted]

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, Newark. The decision is now before the Administrative Appeals Office on appeal. The appeal will be dismissed.

The applicant submitted a Form I-687, Application for Status as a Temporary Resident under Section 245A of the Immigration and Nationality Act, and a Form I-687 Supplement, CSS/Newman (LULAC) Class Membership Worksheet. The director denied the application because the applicant did not establish that he continuously resided in the United States for the duration of the requisite period. In his Notice of Intent to Deny dated March 8, 2007, the director found that the affidavits submitted by the applicant provided no credible content. The director noted the applicant had provided no credible evidence such as bank records, social security or employee earning statement dated while he was in unlawful status prior to January 1, 1982 through May 4, 1988.

The body of the applicant's Form I-694, Notice of Appeal of Decision Under Section 210 or 245A, reads, in its entirety:

> The adjudicating officer incorrectly analyzed the documentation submitted in support of the application and refused to accept documentation preferred by merely stating that the applicant failed to provide documentation and credible evidence of his qualification to apply based on LLULAC".
>
> The officer did not analyze the documentation submitted nor did he address the reasons why the documentation that was submitted was insufficient to satisfy the applicant's burden of proof.
>
> A proper review of the application would verify that the applicant submitted more than sufficient documentation to show that he does qualify for the aforementioned relief and the application should be approved.

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 that the director accurately set forth a legitimate basis for the denial of the application. On appeal, the applicant has not addressed the grounds stated for denial, nor has he presented additional evidence. The appeal shall therefore be summarily dismissed.

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