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U.S. Citizenship
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Services

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[redacted]

FILE: [redacted] Office: LOS ANGELES Date: FEB 27 2009
MSC 06 074 14309

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:

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 on appeal. The appeal will be dismissed.

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 so finding, the director noted that during the applicant's interview, he had stated that he met his wife on the streets of Mexico in 1985 and that he gave contradictory information during the interview. The director also noted that when requested, the applicant had refused to write his testimony and also refused to answer any further questioning during the interview. The director also determined that United States Citizenship and Immigration Services was not able to determine the actual year when the photographs submitted by the applicant were taken and discounted the sixteen affidavits he submitted from friends and relatives.

On appeal, the applicant states he was nervous and confused at his interview, that he responded quickly to the questions without taking time to think of what he was being asked and was especially confused with questions regarding dates. He further states that when asked about his wife he said he met her over 25 years ago and never gave a specific date

The applicant failed to specifically address the director's analysis of the evidence, contradictions between the applicant's assertions and the evidence, his refusal to provide a written statement and answer additional questions at his interview, and did not furnish any additional evidence.

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 the denial of the application. On appeal, the applicant has not presented additional evidence or specifically addressed the basis for denial. The appeal must therefore be summarily dismissed.

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