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U.S. Citizenship  
and Immigration  
Services

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FILE: [Redacted] Office: LOS ANGELES Date: **JAN 30 2009**  
MSC 06 101 14950

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.

A handwritten signature in black ink, appearing to read "J. Grissom".

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, California. 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 his interview on October 25, 2006, the applicant stated that he first entered the United States in May 1981 through San Ysidro without inspection and that he had departed this country one time in November 1987 to go to Mexico and returned in twenty-two days. During the interview, the applicant also stated that his girlfriend, (██████████ mother), did not enter the U.S. with him but first entered in August 1983, that she left for Mexico in November 1984 and did not return to this country until sometime in December 1987. However, based on the applicant's daughter ██████████ birth certificate, he was in Mexico registering her birth on ██████████ and that based on his testimony, he was residing in Mexico from the time of the conception of ██████████ until after the registration of the birth of his daughter on ██████████

On appeal, the applicant resubmits four certified and one uncertified statement concerning his residency along with certified statement of residency and an employment letter from ██████████ providing information concerning the applicant's stay in this country.

The applicant failed to specifically address the director's analysis of the evidence, contradictions between the applicant's assertions and the evidence, and did not furnish any additional evidence addressing the director's finding that the applicant had spent a considerable amount of time residing in Mexico during the requisite period.

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.