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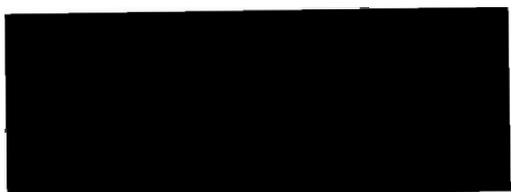
U.S. Department of Homeland Security  
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Washington, DC 20529-2090



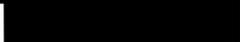
U.S. Citizenship  
and Immigration  
Services

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FILE:



Office: DALLAS

Date:

**MAR 19 2009**

MSC 06 018 11176

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, Dallas. That 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. Specifically, the director noted that the applicant was notified of United States Citizenship and Immigration Services (USCIS) intent to deny his application on February 23, 2007. The applicant was afforded 30 days to respond but failed to do so, and the application was denied based upon the reasons set forth in the Notice Of Intent To Deny (NOID).

On appeal, the applicant states that: he did not receive a letter (NOID) from USCIS dated February 23, 2007; he has no idea what happened; he apologizes for any inconvenience; and that he wishes to continue with his case. The applicant did not otherwise discuss the basis of the director's denial, the basis of his appeal, or submit additional evidence in support of the appeal.

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 record indicates that a NOID was mailed to the applicant at his address of record. The NOID was not returned to USCIS by the U.S. Postal Service as non-deliverable. The director's decision was mailed to the applicant at the same address used with the mailing of the NOID, and the director's decision was received by the applicant from which the applicant timely appealed. The applicant did not specifically address the basis of the director's denial (that the evidence submitted did not establish the applicant's residence in the United States for the duration of the requisite period) nor did he present additional evidence in support of the appeal. The appeal must therefore be summarily dismissed.

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