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U.S. Department of Homeland Security  
U.S. Citizenship and Immigration Services  
Office of Administrative Appeals  
Washington, DC 20529-2090



U.S. Citizenship  
and Immigration  
Services



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FILE:



Office: LOS ANGELES

Date:

**MAR 23 2009**

MSC 06 101 24276

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 applicant submitted a Form I-687, Application for Status as a Temporary Resident under Section 245A of the Immigration and Nationality Act (Act), and a Form I-687 Supplement, CSS/Newman Class Membership Worksheet. The director denied the application, finding that the applicant had not provided credible evidence to establish that he had not disrupted his period of continuous residence in the United States during the statutory period of January 1, 1982 to May 4, 1988.

On appeal, the applicant states that on the day of his interview he was very nervous and tense. The applicant also states that he is sorry if there is any confusion and/or misunderstanding regarding his application, travel dates and proof. The applicant resubmits a copy of the same affidavits from [REDACTED] and [REDACTED] that were submitted when filing his Form I-687 application. The applicant requests that his application for legalization be reconsidered.

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. On appeal, the applicant provided no new evidence or explanation to overcome the reasons for denial of his Form I-687 application.

A review of the decision reveals the director accurately set forth a legitimate basis for denial of the application. The affidavits and other evidence failed to establish that he had not disrupted his period of continuous residence in the United States during the statutory period of January 1, 1982 to May 4, 1988. The affidavits submitted do not contain sufficient information to support the applicant's claim. On appeal, the applicant has not presented additional evidence and has not addressed the grounds stated in the director's denial. The appeal must therefore be summarily dismissed.

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