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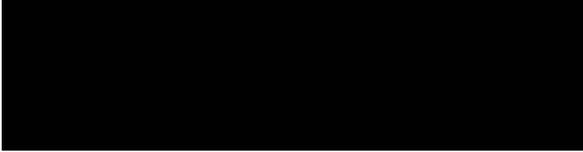


U.S. Department of Homeland Security
U.S. Citizenship and Immigration Services
Office of Administrative Appeals MS2090
Washington, D.C. 20529-2090

U.S. Citizenship
and Immigration
Services

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FILE: [REDACTED] Office: SAN ANTONIO Date: MAY 05 2009
MSC 06 098 24405

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:



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, San Antonio, Texas, California, and is now before the Administrative Appeals Office (AAO) on appeal. The appeal will be summarily dismissed.

The director denied the application because the applicant had not demonstrated that he had continuously resided in the United States in an unlawful status from before January 1, 1982, through May 4, 1988. The director also denied the application because the applicant's absences from the United States (November 1982 to March 1983; November 1984 to January 1985; and November 1986 to June 1987) exceeded the forty-five (45) day limit for a single absence as well as the aggregate limit of 180 days for total absences from the United States during the requisite period.

On appeal, counsel indicates that a brief would be submitted within 90 days. However, almost two years later, no brief has been presented by counsel.

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. Counsel's assertion that the decision of the director is in violation of the court by which the instant application was made is without basis. Without specifically identifying any errors on the part of the director, counsel's assertion is insufficient to overcome the well-founded and logical conclusions the director reached based on the evidence submitted contained in the record. The appeal must therefore be summarily dismissed.

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