



U.S. Citizenship  
and Immigration  
Services

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FILE: [REDACTED]  
MSC-06-101-19270

Office: LOS ANGELES

Date:

**MAY 20 2009**

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 "John F. 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. The decision is now before the Administrative Appeals Office (AAO) on appeal. The appeal will be dismissed.

The director denied the application because she found the evidence submitted with the application was insufficient to establish eligibility for Temporary Resident Status pursuant to the terms of the CSS/Newman settlement agreements. Specifically, the director noted that the applicant claimed on her Form I-687 application that her only absence from the United States following her entry was in 1987. The director noted that the applicant's daughter, [REDACTED] was born in October 28, 1981 and her birth was registered at Civil Registry La Magdalena Tetela, Acajete, Puebla, Mexico on June 21, 1985. The registration indicates that both of her parents were present at the registration. The director noted that this inconsistency casts doubt on the reliability of the applicant's testimony and all evidence submitted in connection with this application. The director further noted that the applicant submitted affidavits in support of her continuous residence, however, the affidavits lacked sufficient detail to be considered credible. Noting these inconsistencies and the paucity of credible evidence in the record which would establish the applicant's eligibility for the benefit sought, the director denied the application on May 25, 2007.

On appeal, the applicant indicates that she was not present at the registration of her daughter's birth and that her mother registered the child's birth in her place. She does not offer any explanation of why the birth registration indicates that she was present, nor does she offer any additional evidence to support her assertion. She also fails to address the paucity of credible evidence in the record or submit any additional evidence of her continuous residence for the duration of the relevant period.

It is further noted that the applicant was arrested on August 15, 1989 in San Bernardino, California for petty theft, in violation of California Penal Code section 490-5. A letter from the Superior Court of California, County of San Bernardino, indicates that the District Attorney did not file a court case following this arrest.

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.

A review of the decision reveals the director accurately set forth a legitimate basis for denial of the application. On appeal, the applicant has not presented additional evidence. Nor has she addressed the grounds stated for denial. The appeal must therefore be summarily dismissed.

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