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

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U.S. Citizenship
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Services



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FILE:

[Redacted]
MSC 06 101 20427

Office: ATLANTA

Date:

MAY 26 2009

IN RE:

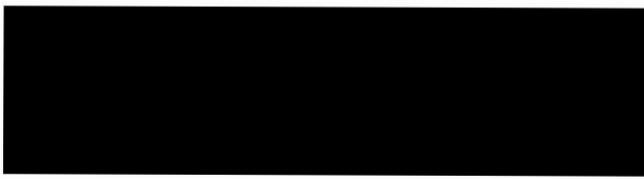
Applicant:



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:



INSTRUCTIONS:

This is the decision of the Administrative Appeals Office in your case. The file has been returned to the National Benefits Center. If your appeal was sustained, or if the matter was remanded for further action, you will be contacted. If your appeal was dismissed, 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.

John F. Grisson, 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, or *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, Atlanta, Georgia, and is now before the Administrative Appeals Office (AAO) on appeal. The appeal will be summarily dismissed.

The director determined that the applicant had not established that she was eligible to adjust status as a temporary resident under Section 245A of the Immigration and Nationality Act.

It is noted that counsel stated on the Notice of Appeal to the Administrative Appeals Office (AAO), Form I-694, filed June 1, 2007, that an appeal brief will be submitted within 30 days. However, the record does not reflect receipt of an appeal brief. Therefore, the record must be considered complete.

On appeal, counsel for the applicant asserts, generally, that the applicant has established the requisite continuous residence, and that the director “misstated the facts” and “made conclusions that are not based in fact or in law.” Counsel does not submit any additional evidence on appeal.

Any appeal that fails to state the reason for appeal, or is patently frivolous, will be summarily dismissed. 8 C.F.R. § 103.3(a)(3)(iv). A review of the decision reveals that the director accurately set forth a legitimate basis for denial of the application. On appeal, the applicant has not presented additional evidence and has not 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.