

Identifying data deleted to
prevent clearly unwarranted
invasion of personal privacy

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



U.S. Citizenship
and Immigration
Services

PUBLIC COPY

L1



FILE: [REDACTED]
MSC 05 230 30917

Office: LOS ANGELES

Date: NOV 03 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 "Perry Rhew".

Perry Rhew
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. 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 the United States Citizenship and Immigration Services (USCIS) intent to deny his application on February 2, 2007. The director noted that witness statements submitted by the applicant lacked sufficient detail to establish the applicant's residence in the United States for the duration of the requisite period, and/or contradicted the applicant's own declarations or the declarations of other witnesses as to the applicant's activities and whereabouts during the requisite period.

On appeal, the applicant states that he has resided in the United States throughout the requisite period and that he was prevented from applying for amnesty because he traveled outside the United States during the requisite period. The applicant asks that his application be reconsidered and that he be allowed to continue with the process of legalization. The applicant did not address the reasons set forth for denial in the director's decision, nor did he otherwise state the basis for his appeal. The applicant did submit copies of witness statements that were previously submitted with his application, but did not submit new evidence in support of his 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 applicant did not specifically address the basis of the director's 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.