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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



**U.S. Citizenship
and Immigration
Services**

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[Redacted]

FILE:

[Redacted]

Office: TEXAS SERVICE CENTER

Date: **JAN 07 2010**

SRC: 02 186 50676

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:

[Redacted]

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.

Perry Rhew
Chief, Administrative Appeals Office

DISCUSSION: The termination of the applicant's temporary resident status by the Director, Texas Service Center, is now before the Administrative Appeals Office (AAO) on appeal. The appeal will be dismissed.

The director determined that the applicant had not established that he resided in the United States in a continuous unlawful status from before January 1, 1982 through the date of attempted filing during the original one-year application period that ended on May 4, 1988. The director noted that the applicant failed to overcome the reasons for termination stated in the January 25, 2008 notice of intent to terminate (NOIT).

In the NOIT, the director stated that the applicant had submitted questionable affidavits attesting to his residence in the United States since prior to January 1, 1982. The director noted that the applicant indicated on his Form I-485 (submitted in connection with a Form I-130 Petition for Alien Relative filed on the applicant's behalf) and an accompanying Biographic Information, Form G-325A, that he entered the United States on March 11, 1986, and that he had resided in Pakistan from 1946 until March 11, 1986; and, on his asylum application, Form I-589, filed on June 30, 1986, the applicant indicated that he first entered the United States on March 11, 1986, and, that he had children born in Pakistan in 1983 and in 1984; however, the applicant claimed only one absence from the United States, between December 1993 and January 1994.

On appeal, counsel asserts, generally, that the applicant has submitted sufficient evidence to establish his eligibility for Temporary Resident Status; and, that the director has imposed "stringent requirements contrary to the spirit of the regulations or terms of the settlement." Counsel does not submit additional evidence on appeal.

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. As noted above, counsel does not address the basis for termination of the applicant's temporary resident status, and does not present additional evidence. The appeal must therefore be summarily dismissed.

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