



U.S. Citizenship  
and Immigration  
Services

[REDACTED]

L1

Date: **DEC 13 2012** Office: LOS ANGELES

FILE: [REDACTED]

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. If your appeal was sustained, or if your case was remanded for further action, you will be contacted. If your appeal was dismissed or rejected, 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.

A handwritten signature in black ink, appearing to read "Ron Rosenberg".

Ron Rosenberg  
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 Field Office, and is now before the Administrative Appeals Office (AAO) on appeal.<sup>1</sup> The appeal will be dismissed.

The director denied the application, finding the applicant had failed to establish his continuous residence in the United States throughout the requisite period. The director further determined that the applicant was inadmissible; therefore, he was ineligible for this additional reason. On appeal, the AAO determined that the applicant had established his continuous unlawful residence in the United States throughout the requisite period and that the sole issue was his inadmissibility. The AAO advised the applicant to file a waiver application. The applicant filed a waiver application. On June 1, 2010, the director denied the waiver application, finding that the applicant had not established that the director should grant the waiver for humanitarian purposes, or family unity or because it would serve the public interest. The director found that the applicant's two permanent legal resident children were adults, hence, did not establish that a waiver would foster family unity.

The applicant failed to respond to a notice of certification. 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 he 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.

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<sup>1</sup> The AAO initially remanded the matter to the field office director who issued a new decision, denying the application. The AAO issued a notice of certification to provide the applicant an opportunity to challenge the director's new decision.