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U.S. Department of Homeland Security
U.S. Citizenship and Immigration Services
Administrative Appeals Office (AAO)
20 Massachusetts Ave., N.W. MS 2090
Washington, DC 20529-2090



U.S. Citizenship
and Immigration
Services

[REDACTED]

L1

DATE: JUL 31 2012

OFFICE: LOS ANGELES

FILE: [REDACTED]

IN RE: Applicant: [REDACTED]

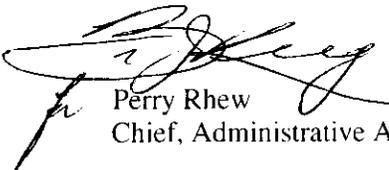
APPLICATION: Application for Status as a Temporary Resident pursuant to Section 245A of the Immigration and Nationality Act, as amended, 8 U.S.C § 1255a.

ON BEHALF OF APPLICANT: SELF-REPRESENTED

INSTRUCTIONS:

This is the decision of the Administrative Appeals Office in your case. 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.

Thank you,


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, 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 Field Office Director, Los Angeles, and is now before the Administrative Appeals Office (AAO) on appeal. The appeal will be dismissed.

The applicant filed an application for temporary resident status under section 245A of the Act (Form I-687), together with a Form I-687 Supplement, CSS/Newman (LULAC) Class Membership Worksheet, on January 9, 2006.

On March 16, 2012, the director denied the application after determining that the applicant had failed to establish his eligibility for Temporary Resident Status. The director noted that the record lacked documentation to support the applicant's claimed employment during the requisite period; and, that the vaccination record submitted by the applicant to establish his continuous residence could not be verified. Therefore, the director found the evidence provided was insufficient to establish the applicant's continuous unlawful residence and physical presence in the United States during the requisite period.

It is noted that the applicant stated on the Notice of Appeal to the Administrative Appeals Office (AAO), Form I-694, filed April 18, 2012, that an appeal brief will be submitted within 30 days. However, the record does not reflect receipt of a brief or additional evidence. Therefore, the record must be considered complete.

On appeal, the applicant asserts that the director erred in denying his application and that he has submitted sufficient evidence to establish his eligibility for temporary resident status. The applicant does not submit additional evidence.

As stated previously, to meet his or her burden of proof, an applicant must provide evidence of eligibility apart from the applicant's own testimony, and the sufficiency of all the evidence produced by the applicant will be judged according to its probative value and credibility. 8 C.F.R. § 245a.2(d)(6). Here, the applicant has failed to provide probative and credible evidence of his continuous residence in the United States for the duration of the requisite period.

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 that the director accurately set forth a legitimate basis for denial of the application. On appeal, the applicant has not presented additional probative evidence relevant to the stated reasons for the director's denial. The appeal must, therefore, be summarily dismissed.

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