

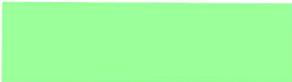


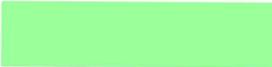
U.S. Citizenship
and Immigration
Services

(b)(6)

MAR 10 2014

Date: Office: NEW YORK

FILE: 

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:

SELF-REPRESENTED

INSTRUCTIONS:

Enclosed please find the decision of the Administrative Appeals Office in your case. This is a non-precedent decision. The AAO does not announce new constructions of law nor establish agency policy through non-precedent decisions.

Thank you,

A handwritten signature in black ink, appearing to read "R. Rosenberg", written over the "Thank you," text.

Ron Rosenberg
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 New York District Office Director. That decision is now before the Administrative Appeals Office (AAO) on appeal. The appeal will be dismissed.

The director denied the application based on the finding that the applicant did not appear for a scheduled interview on November 3, 2005 and therefore determined that the applicant abandoned the application pursuant to 8 C.F.R. § 103.2(b)(13). In a notice dated January 29, 2014, the AAO withdrew the director's decision, finding that the director erroneously denied the application based on abandonment, and informed the applicant of the AAO's intent to dismiss the appeal. The AAO informed the applicant that the record contained inconsistent evidence regarding the applicant's date of arrival to the United States, pointing out that the applicant's Form I-687 indicates that the applicant claimed November 1980 as the month and year of her arrival, while in a January 5, 2005 affidavit the applicant claimed to have entered the United States on October 16, 1981 with a visitor's visa. The AAO listed a number of different documents that the applicant could provide to resolve the inconsistency and allowed the applicant an opportunity to submit additional evidence. To date, however, more than one month since the AAO issued its notice, the applicant has not provided a response or additional evidence addressing the deficiency discussed therein. Therefore, the record will be considered complete as presently constituted.

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. On appeal, the applicant has not presented additional evidence. Nor has she specifically 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.