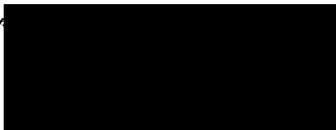


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U.S. Department of Homeland Security
Bureau of Citizenship and Immigration Services

identifying data deleted to
prevent clearly unwarranted
invasion of personal privacy

ADMINISTRATIVE APPEALS OFFICE
425 Eye Street N.W.
BCIS, AAO, 20 Mass, 3/F
Washington, D.C. 20536



File:



Office: MISSOURI SERVICE CENTER

Date:

AUG 18 2003

IN RE: Applicant:

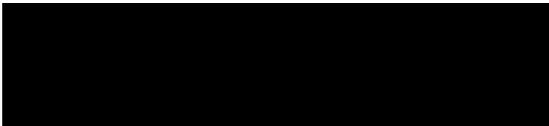


Application:

Application for Status as a Permanent Resident pursuant to Section 1104 of the Legal Immigration Family Equity (LIFE) Act of 2000, Pub. L. 106-553, 114 Stat. 2762 (2000), amended by LIFE Act Amendments, Pub. L. 106-554, 114 Stat. 2763 (2000).

PUBLIC COPY

ON BEHALF OF APPLICANT:



INSTRUCTIONS:

Attached is the decision rendered on your appeal. The file has been returned to the Service Center that processed your case. If your appeal was sustained, or if your case was remanded for further action, the Service Center will contact you. 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.

Robert P. Wiemann, Director
Administrative Appeals Office

DISCUSSION: The application for permanent resident status under the Legal Immigration Family Equity (LIFE) Act was denied by the Director, Missouri Service Center, and is now before the Administrative Appeals Office on appeal. The appeal will be dismissed.

The director denied the application because the applicant had been convicted of controlled substance trafficking.

On appeal, counsel states that he has to conduct a more in-depth analysis of the facts and circumstances of the plea made by the applicant. According to counsel, an additional 45 days is required to complete the investigation. However, the record shows that, over six months later, counsel has failed to submit any material to supplement the appeal. Therefore, the record must be considered complete.

An alien who has been convicted of a felony or three or more misdemeanors committed in the United States is ineligible for status under LIFE Legalization. See 8 CFR § 245A.11(d)(1).

The record contains court documents establishing that the applicant had been convicted in the Superior Court of Dekalb County, Georgia, of a felony for possession of marijuana with intent to distribute. Therefore, the applicant is ineligible for permanent resident status under section 1104 of the LIFE Act.

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