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U.S. Citizenship
and Immigration
Services

LA

FILE:

Office: Houston

Date JUL 23 2004

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).

ON BEHALF OF APPLICANT:

INSTRUCTIONS:

This is the decision of the Administrative Appeals Office in your case. The file has been returned to the office that originally decided your case. 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.

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 District Director, Houston, Texas, and is now before the Administrative Appeals Office on appeal. The appeal will be dismissed.

In his Notice of Intent to Deny (NOID) dated August 11, 2003, the director noted that On July 23, 2003, the applicant's husband and attorney appeared for an interview. During that interview, her husband stated that he, his wife and son entered the United States for the first time in 1984 or 1985 using a border crossing card that her husband obtained in 1984. In his NOID, the director determined that the applicant had not established that she resided continuously in the United States in an unlawful status from before January 1, 1982 through May 4, 1988. On November 24, 2003, the director noted that the applicant had not responded to his NOID and denied the application.

On appeal, counsel states, "A complete copy of "A" file (F.O.I.A.) is need [sic] to write a brief and show good cause. A 30 day period after "A" file (F.O.I.A.) is received is need [sic] to file brief and evidence showing a good cause." Counsel indicates on the appeal form that he is requesting an additional 30 days in which to submit a brief and/or evidence to the AAO. However, as of this date, no further documentation or statement has been submitted into the record of proceedings. Therefore, the record must be considered complete.

An applicant for permanent resident status under the LIFE Act must establish that before October 1, 2000, he or she filed a written claim with the Attorney General for class membership in any of the following legalization class-action lawsuits: *Catholic Social Services, Inc. v. Meese*, vacated sub nom. *Reno v. Catholic Social Services, Inc.*, 509 U.S. 43 (1993)(CSS), *League of United Latin American Citizens v. INS*, vacated sub nom. *Reno v. Catholic Social Services, Inc.*, 509 U.S. 43 (1993)(LULAC), or *Zambrano v. INS*, vacated sub nom. *Immigration and Naturalization Service v. Zambrano*, 509 U.S. 918 (1993)(Zambrano). See 8 C.F.R. § 245a.10.

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. The applicant has failed to address the reasons stated for denial and has not provided any additional evidence on appeal. The appeal must therefore be summarily dismissed.

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