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U.S. Department of Homeland Security  
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Washington, DC 20529

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U.S. Citizenship  
and Immigration  
Services

L2



FILE:



Office: Houston

Date:

NOV 30 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: Self-represented

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.

The director outlined inconsistencies in the applicant's claimed entries into the United States and his claimed visits abroad. The director also outlined additional entries to and exits from this country that were found in Citizenship and Immigration Service (CIS) records that had not been revealed by the applicant. The director concluded that based upon inconsistent testimony and sworn statement(s) and the results of a CIS background investigation, the applicant had failed to meet his burden of proof concerning his residence in the United States. The director determined the applicant had not established that he had continuously and unlawfully resided in the United States during the entire qualifying period from prior to January 1, 1982 through May 4, 1988.

On appeal, the applicant states "Please refer to the attached copy of letter dated 7/28/03 where in I responded to INS letter dated 7/14/03 requesting for extension or to reschedule my interview date." The applicant submits a copy of the referenced letter.

The regulations at 8 C.F.R. § 103.3(a)(3)(v) provide that any appeal that fails to state the reason for the 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.