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



U.S. Citizenship  
and Immigration  
Services

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FILE: [Redacted]

Office: Baltimore

Date: FEB 16 2005

IN RE: Applicant: [Redacted]

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. All documents have 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 for Services, Baltimore, Maryland, and is now before the Administrative Appeals Office on appeal. The appeal will be dismissed.

The director noted that the applicant had claimed that his entries into the United States in 1984, 1985 and 1986 were not made using a legal visa. However, the director found that the applicant entered New York on December 14, 1986 using a B-2 nonimmigrant visa. The director concluded that as the applicant had provided false testimony under oath regarding his trip in 1986, his other testimony regarding his other trips lacked credibility. The director also discussed the affidavits provided by the applicant for the record and found they failed to support his claim that he had resided continuously in this country from 1979 to 1988. The director concluded applicant had not established that he had continuously and unlawfully resided in the United States during the entire qualifying period from January 1, 1982 through May 4, 1988 and, therefore, denied the application.

On appeal, counsel states:

The District Director's decision to deny the LIFE Adjustment applicant is contrary to the evidence of record and applicable law. Applicant has proven that he meets the statutory periods required for LIFE benefits.

Counsel indicated that he was not submitting a separate brief or evidence. Therefore, the record is complete.

The regulations at 8 C.F.R. § 103.3(a)(3)(iv) provide that any appeal that fails to state the reason for the appeal or is patently frivolous will be summarily dismissed. Counsel 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.