

**identifying data deleted to
prevent clearly unwarranted
invasion of personal privacy**

U.S. Department of Homeland Security
20 Mass. Ave., N.W., Rm. 3000
Washington, DC 20529



**U.S. Citizenship
and Immigration
Services**

PUBLIC COPY

L2

[REDACTED]

FILE:

[REDACTED]

Office: DALLAS

Date: AUG 02 2006

MSC 02 229 61590

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:

[REDACTED]

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, Chief
Administrative Appeals Office

DISCUSSION: The application for permanent resident status under the Legal Immigration Family Equity (LIFE) Act was denied by the District Director, Dallas, Texas, and is now before the Administrative Appeals Office (AAO) on appeal. The appeal will be rejected.

The director denied the application because the applicant had failed to establish that he satisfied the "basic citizenship skills" required under section 1104(c)(2)(E) of the LIFE Act.

On appeal, counsel asserts:

[The applicant] is satisfactorily pursuing a course of study pursuant [to] the federal regulations. He is attending classes offered by the Dallas Independent School District (DISD), a state-recognized, accredited learning institution in the U.S. [The applicant] timely provided CIS with evidence of his attendance at DISD's class of Literacy Civics/Citizenship.

Counsel indicated on the Form I-290B, Notice of Appeal to the Administrative Appeals Unit, that he would submit a brief and/or additional evidence within 30 days of filing the appeal. As of the date of this decision, more than 24 months after the appeal was filed, no further documentation has been received by the AAO. As the appeal was untimely filed, however, this issue is moot.

An affected party filing from within the United States has 30 days from the date of an adverse decision to file an appeal. An appeal received after the 30-day period has tolled will not be accepted. The 30-day period for submitting an appeal begins three days after the Notice of Decision is mailed. 8 C.F.R. § 245a.20(b) (1)

The record reflects that the director sent her decision of June 16, 2004 to the applicant and counsel at their addresses of record in the United States. Citizenship and Immigration Services (CIS) received the appeal 34 days later on July 20, 2004. Therefore, the appeal was untimely filed.

ORDER: The appeal is rejected as untimely filed.