

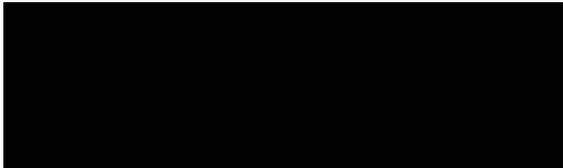
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**U.S. Citizenship
and Immigration
Services**

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FILE: 
MSC 03 078 60014

Office: CHICAGO

Date: AUG 03 2006

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. All documents have been returned to the office that originally decided your case. Any further inquiry must be made to that office.

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, Chicago, Illinois, and is now before the Administrative Appeals Office on appeal. The appeal will be rejected.

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

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 3 days after the Notice of Decision is mailed. 8 C.F.R. § 245a.20(b)(1)

The regulation at 8 C.F.R. § 103.2(a)(7)(i) provides that rejected applications and petitions, and ones in which the check or other financial instrument used to pay the filing fee is subsequently returned as non-payable will not retain a filing date.

The record reflects that the director sent his decision of May 21, 2004 to the applicant at her address of record. The appeal was initially received by the Chicago District Office on June 18, 2004; however, it was accompanied by an incorrect form of payment. The district office received the appeal with the correct form of payment on August 9, 2004, 79 days after the adverse decision was issued. Therefore, the appeal was untimely filed.

ORDER: The appeal is rejected as untimely filed.