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U.S. Citizenship  
and Immigration  
Services

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FILE:

Office: DALLAS

Date: JUL 18 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. 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 she satisfied the “basic citizenship skills” required under section 1104(c)(2)(E) of the LIFE Act.

On appeal, the applicant states that, although she let the time to file her appeal expire, she is filing a motion to reopen, and pleads with Citizenship and Immigration Services (CIS) to accept her appeal. The applicant’s motion to reopen, filed on Form I-290B, Notice of Appeal to the Administrative Appeals Unit, was forwarded to the AAO pursuant to 8 C.F.R. § 103.3(a)(2)(iv). The applicant submits no additional documentation with the appeal.

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 August 11, 2004 to the applicant at her address of record. CIS received the appeal, dated October 4, 2004, 54 days later on October 6, 2004. Thus, the appeal was untimely filed. The applicant has provided no evidence that CIS was in any way at fault in her failure to submit a timely appeal. Therefore, the appeal will be rejected.

**ORDER:** The appeal is rejected as untimely filed.