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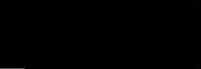
U.S. Citizenship  
and Immigration  
Services

L2

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FILE:



Office: Dallas

Date: SEP 11 2006

MSC 02 2466 4675

IN RE:

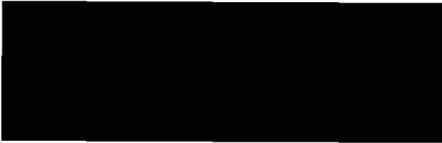
Applicant:



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:



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 F. 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 district director denied the application because the applicant had not demonstrated that she had continuously resided in the United States in an unlawful status from before January 1, 1982 through May 4, 1988.

On appeal, counsel asserts that additional evidence would be filed to demonstrate the beneficiary's presence during the required time, but also indicated that no additional evidence or a brief was being filed with the petitioner's Form I-290B. No additional evidence was filed with the appeal, and as of this date no additional evidence or brief has been filed. Therefore, the record shall be considered complete.

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 record reflects that the director sent her decision of February, 19, 2004 to the applicant and counsel at their respective addresses of record. Citizenship and Immigration Services received the appeal on April 21, 2004, 57 days after the decision was issued. Therefore, the appeal was untimely filed.

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