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U.S. Department of Homeland Security
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U.S. Citizenship
and Immigration
Services

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FILE: MSC 02 240 65271 Office: HOUSTON Date: SEP 21 2006

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. 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, Houston, Texas, and is now before the Administrative Appeals Office on appeal. The appeal will be summarily dismissed.

The director denied the application because the applicant had not demonstrated that he had continuously resided in the United States in an unlawful status since before January 1, 1982 through May 4, 1988. Section 1104(c)(2)(B) of the LIFE Act; 8 C.F.R. § 245a.11(b). The director determined that the applicant's deportation during the required period interrupted his continuous residency. 8 C.F.R. § 245a.15(c)(3). The director also noted that the applicant failed to respond to the Notice of Intent to Deny (NOID) issued on August 3, 2004.

On appeal, counsel asserts that the applicant responded to the NOID, denying that he had been deported from the United States. Counsel submitted no additional documentation on appeal. The record contains no response to the director's NOID and the applicant's denial, without supporting documentation, is insufficient to meet his burden of proof.

The regulation at 8 C.F.R. § 103.3(a)(1)(v) states, in pertinent part:

An officer to whom an appeal is taken shall summarily dismiss any appeal when the party concerned fails to identify specifically any erroneous conclusion of law or statement of fact for the appeal.

The applicant has failed to identify specifically any erroneous conclusion of law or a statement of fact in this proceeding; therefore, the appeal must be summarily dismissed.

ORDER: The appeal is summarily dismissed. This decision constitutes a final notice of ineligibility.