

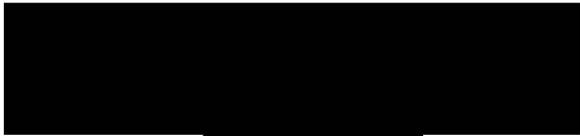
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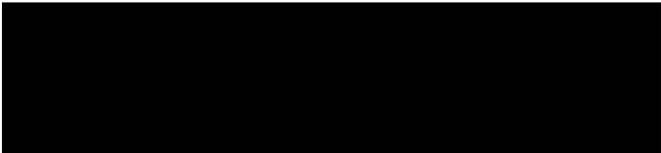


FILE: [Redacted] Office: HOUSTON Date: **SEP 26 2006**
MSC 01 354 61211

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 case will be remanded for further action and consideration.

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.

The regulation at 8 C.F.R. § 245a.20(a)(2) provides that when an adverse decision is proposed, Citizenship and Immigration Services shall notify the applicant of its intent to deny the application and the basis for the proposed denial. The applicant will be granted 30 days from the date of the notice in which to respond to the notice of intent to deny.

The record, however, does not reflect that a Notice of Intent to Deny was issued prior to the director’s Notice of Decision.

Accordingly, the case is remanded for the issuance of a Notice of Intent to Deny and for the entry of a new decision in accordance with the foregoing. If the new decision is adverse, it shall be certified to this office.

The Notice of Intent to Deny should also address the applicant’s failure to demonstrate that he had continuously resided in the United States in an unlawful status since before January 1, 1982 through May 4, 1988. The documentation submitted by the applicant in support of his claim consists of vague statements, many of which only indicate that the author knew the applicant during the requisite period.

We note that the applicant filed a Form I-687, Application for Status as a Temporary Residence Under Section 245A of the Immigration and Nationality Act, on March 28, 2005. That application has not been finally adjudicated by Citizenship and Immigration Services and is not at issue in this decision.

ORDER: This matter is remanded for further action and consideration pursuant to the above.