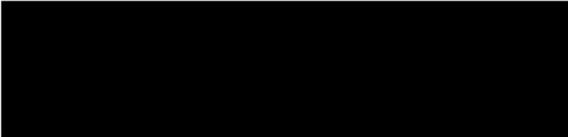


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APR 12 2007

FILE: [REDACTED]
MSC 05 223 10438

OFFICE: HARTFORD

Date:

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. 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, Hartford, Connecticut, and is now before the Administrative Appeals Office (AAO) on appeal. The appeal will be rejected as untimely filed.

The district director concluded that the applicant had not established that he resided in the United States in a continuous unlawful status from before January 1, 1982 through May 4, 1988, as required by section 1104(c)(2)(B) of the LIFE Act, and therefore, denied the application.

An adverse decision on an application for temporary resident status may be appealed to the Administrative Appeals Office. Any appeal with the required fee shall be filed with the Service Center within thirty (30) days after service of the notice of denial. *See* 8 C.F.R. § 245a.2(p). An appeal received after the thirty-day period has tolled will not be accepted. *Id.*

The director issued the notice of denial on April 3, 2006 and mailed it to the applicant's address of record. The appeal was initially received without the proper filing fee and signature on May 15, 2006 and was subsequently returned with a notice informing the applicant of the proper filing fee and need for signature. The applicant corrected the prior errors and resubmitted the appeal on June 7, 2006, or 65 days after the denial was issued. Therefore, the appeal was untimely filed, and must be rejected. The AAO further notes that even if the original filing were accompanied with the proper fee and signature, it too would have been deemed untimely filed, as it was received 42 days after the denial was issued.

ORDER: The appeal is rejected.