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U.S. Citizenship
and Immigration
Services

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22
APR 19 2007

FILE: [REDACTED]
MSC 03 245 61580

Office: SPOKANE

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:

[REDACTED]

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, Seattle (Spokane), Washington, and is now before the Administrative Appeals Office (AAO) on appeal. The appeal will be rejected.

The director denied the application due to abandonment because the applicant failed to appear for a scheduled interview.

On appeal, the applicant's authorized representative states that the applicant failed to appear at her interview because her confidence was shaken after her husband's interview and that her father was ill. The representative requests another opportunity for the applicant "to get her permanent status."

The regulation at 8 C.F.R. § 103.2(b)(13) provides that if an applicant or petitioner fails to appear for an interview, a request to reschedule is not received by Citizenship and Immigration Service prior to the interview, and the applicant or petitioner has not withdrawn the application or petition, the application or petition shall be considered abandoned and, accordingly, shall be denied. A denial due to abandonment may not be appealed. 8 C.F.R. § 103.2(b)(15).

ORDER: The appeal is rejected.