



U.S. Citizenship
and Immigration
Services

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invasion of personal privacy**

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APR 20 2007

FILE: [REDACTED]

MSC 01 307 60162

Dear Mr. [REDACTED]

On August 3, 2001, you filed an 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). Subsequently, on October 8, 2004, the District Director, Los Angeles denied your application. You have appealed that decision, and your appeal is now before the Administrative Appeals Office (AAO).

During the adjudication of your appeal, information has come to light that seriously compromises the credibility of your claims. Based upon this information, the AAO intends to dismiss your appeal. Pursuant to Citizenship and Immigration Services (CIS) regulations at 8 C.F.R. § 103.2(b)(16)(i), we hereby notify you of this derogatory information and provide you with an opportunity to respond before we render our final decision.

You indicated on your Form I-687, Application for Status as a Temporary Resident, that during the qualifying period, you worked for [REDACTED] from September 1981 to December 1984 and at KI & [REDACTED] from January to August 1985. You also stated that you also used the name [REDACTED] and that you were a self-employed entertainer from 1982 to 1984, and from 1986 to 1987. During your LIFE Act adjustment interview, you stated that you worked at a furniture store from 1979 to 1982, at a furniture manufacturer from 1983, and at a "carburetor place" from 1988, under the name of [REDACTED] and that you were a musician from 1984 to 1987. You also submitted a sworn statement from [REDACTED] in which he stated that you worked for him as a mechanic at [REDACTED] Auto Repair from January 15, 1988 to December 31, 1988. While you submitted a Form W-2, Wage and Tax Statement, issued to [REDACTED] by the [REDACTED] for 1981, you submitted no evidence to confirm your employment with any company or organization subsequent to 1981, or to resolve the inconsistencies in your statements of employment.

You also stated on your Form I-687 application that you lived at a single location in Los Angeles during the requisite period. However, none of those submitting supporting affidavits and statements on your behalf identified a specific address at which you lived, merely indicating that you had lived in Los Angeles from 1981 to 1984 and in Compton, California thereafter. You further stated on a form to determine class membership, which you signed under penalty of perjury on July 11, 1990, that you first entered the United States in 1981. [REDACTED] stated in a March 20, 2001 affidavit that you arrived in the United States in

1981 and lived with her at that time. However, in a November 4, 2004 sworn declaration and in your LIFE Act interview you stated that you arrived in the United States in 1979. You submitted an identification card from ██████████ Market dated in 1979 and letters from your children's schools indicating that they were enrolled from September 12, 1979 to February 20, 1981. While these documents appear to verify your entry into the United States in 1979, you provided no objective and verifiable evidence that you remained beyond February 1981. The affidavits and statements submitted on your behalf are inconsistent with your own statements on your Form I-687 application and in your sworn declaration.

It is incumbent upon the applicant to resolve any inconsistencies in the record by independent objective evidence. Any attempt to explain or reconcile such inconsistencies will not suffice unless the applicant submits competent objective evidence pointing to where the truth lies. Doubt cast on any aspect of the applicant's proof may lead to a reevaluation of the reliability and sufficiency of the remaining evidence offered in support of the visa application. *Matter of Ho*, 19 I&N Dec. 582, 591-92 (BIA 1988).

The above derogatory information indicates that you have manufactured documentation in support of your visa application. For this reason, we cannot accord any of your other claims any weight.

If you choose to contest the AAO's findings, you must offer substantial evidence from credible sources addressing, explaining, and rebutting the discrepancies described above. The regulation at 8 C.F.R. § 103.2(b)(16)(i) does not specify the amount of time afforded to an applicant or petitioner to respond to derogatory evidence. We consider thirty (30) days to be ample time for this purpose. Therefore, you are hereby afforded 30 days from the date of this letter in which to respond to this notice. If you do not submit such evidence within the allotted thirty-day period, the AAO will dismiss your appeal. If you choose to respond, please submit your response to the address shown on the first page of this letter. Also, please reference your file number, ██████████ in your response.



Robert P. Wiemann, Chief
Administrative Appeals Office

