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U.S. Citizenship
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DEC 10 2007

FILE: [REDACTED] Office: HOUSTON Date:
MSC 02 120 63642

IN RE: Applicant: [REDACTED]

PETITION: 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 PETITIONER: SELF-REPRESENTED

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 F. 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, and is now before the Administrative Appeals Office (AAO) on appeal. The appeal will be summarily dismissed.

An applicant for permanent resident status under section 1104 of the LIFE Act has the burden to establish by a preponderance of the evidence that he or she has resided in the United States for the requisite periods, is admissible to the United States and is otherwise eligible for adjustment of status under this section. The inference to be drawn from the documentation provided shall depend on the extent of the documentation, its credibility and amenability to verification. 8 C.F.R. § 245a.12(e).

The applicant submitted insufficient evidence to credibly document his continuous residence in an unlawful status and his continuous presence in the United States during the relevant period. Specifically, the district director found that the evidence submitted in support of the application was insufficient to establish that he had entered the United States prior to January 1, 1982 and continuously resided in the United States in an unlawful status through May 4, 1988. Consequently, the district director issued a Notice of Intent to Deny (NOID) the application on September 20, 2004, and afforded the applicant 30 days in which to submit credible evidence to show that he had continuously resided in the United States during between January 1, 1982 and May 4, 1988. In response, the applicant submitted copies of previously-submitted letters, which the director found insufficient to overcome the objections set forth in the NOID. Consequently, the application was denied on March 16, 2005.

On May 6, 2005,¹ the applicant submitted Form I-290B, Notice of Appeal to the Administrative Appeals Unit (AAU), on which he states:

1. I CAME TO THE USA ON MAY 1981.
2. I HAVE A WIFE AND TWO CHILDREN WITH ME
3. I AM DOING THIS APPEAL BECAUSE I HAVE BEEN IN THE USA SINCE 1981 AND I HAVE PRESENTED DOCUMENTS SHOWING TO THE IMMIGRATION DEPARTMENT.
4. ALSO, I RECEIVED THIS NOTICE OF DENIAL DATED MARCH 16, 2005 ON APRIL 12, 2005 AS SHOWN IN THE ATTACHED ENVELOPE[.]
5. I AM DOING THIS APPEAL WITHIN THE 30 DAYS FROM THE DAY I RECEIVED THIS NOTICE.
6. I AM ATTACHING COPIES OF SOME [DOCUMENTS] THAT SHOULD BE IN MY FILE.

The applicant submitted photocopies of various documents previously submitted into the record in support of the appeal.

As stated in 8 C.F.R. § 103.3(a)(3)(iv), any appeal which is filed that fails to state the reason for appeal, or is patently frivolous, will be summarily dismissed. The applicant's general statements on the Form I-290B, without specifically identifying any errors on the part of the director, are simply insufficient to overcome the well-founded and logical conclusions the director reached based on the evidence submitted by the applicant. Although the applicant submits additional documentary evidence with Form I-290B, it is noted that the documents submitted on appeal were previously submitted prior to adjudication.

The applicant has failed to address the reasons stated for denial and has not provided any additional evidence on appeal. The appeal must therefore be summarily dismissed.

¹ While the denial is dated March 16, 2005, the applicant submits evidence to establish that the decision was not mailed until April 12, 2005. Therefore, while the appeal on its face appears to be filed past the time allotted, the AAO will treat it as timely filed.

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