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U.S. Department of Homeland Security
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U.S. Citizenship
and Immigration
Services

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FILE: [REDACTED] Office: NEW YORK Date: DEC 14 2007
MSC 02 197 62302

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.

A handwritten signature in black ink, appearing to read "R. Wiemann".

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, New York, 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 her continuous residence in an unlawful status and her 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 she 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. Specifically, the director noted that the record was insufficient to show her continuous unlawful residence in the United States prior to August 10, 1986. Consequently, the district director issued a Notice of Intent to Deny (NOID) the application on May 25, 2005, and afforded the applicant 30 days in which to submit credible evidence to show that she had continuously resided in an unlawful status in the United States during the relevant period. The applicant's response failed to overcome the basis for denial in the director's notice, and consequently the application was denied on August 23, 2005.

On appeal, the applicant submits Form I-290B on which she states,

I have hard time to proof my physical presence in the United States during the statutory period from May 1981 to August 1986, because during that time I came without inspection. I didn't have visa in my passport which not allowed me to open bank account. I was working for Mrs. [REDACTED] and [REDACTED], where I lived in the job at that time. All bills (electric; gas, phone) was paid by my employers and my employment was only on cash. Ms. [REDACTED] died in 2001, therefore is very hard for me proof my physical evidence. Two other people [REDACTED] and Mr. [REDACTED] are able to proof my physical presence during that time.

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 statement on the Form I-290B, without specifically identifying any errors on the part of the director, is simply insufficient to overcome the well-founded and logical conclusions the director reached based on the evidence submitted by the applicant.

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

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