



U.S. Citizenship  
and Immigration  
Services

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*Handwritten initials or signature*

FILE: [REDACTED] Office: DALLAS Date: DEC 20 2007  
MSC 03 220 61654

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. P. 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, Dallas, 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 director denied the application because the applicant had failed to establish that he satisfied the "basic citizenship skills" required under section 1104(c)(2)(E) of the LIFE Act. Specifically, the district director noted that the applicant had failed to demonstrate a minimal understanding of ordinary English and a knowledge and understanding of the history and government of the United States during his interviews on November 20, 2003 and June 7, 2005. Consequently, the district director issued a Notice of Intent to Deny (NOID) the application on June 7, 2005, and afforded the applicant 30 days in which to submit any evidence to overcome the stated basis for the denial. The applicant failed to respond, and consequently the application was denied on September 12, 2005.

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

I ASK THAT YOU PLEASE GIVE ME THE OPPORTUNITY TO PASS MY TEST. I HAVE ALL THE DOCUMENTATION [THAT] PROVES THAT I HAVE BEEN IN THE USA SINCE 1982, BUT SINCE I ALWAYS HAVE WORKED IN PLACES THAT DID NOT REQUIRE THE ENGLISH LANGUAGE, THIS IS A WHY I AM NOT YET FLUENT IN THAT LANGUAGE. I HAVE TWO MINOR CHILDREN [IN] THE USA AND I AM THE ONLY SOURCE OF [INCOME FOR] THEM AND MY WIFE. I HAVE BEEN STUDYING AND WILL BE FULLY PREPARED IF ONLY YOU GIVE ME ANOTHER OPPORTUNITY. I BEG YOU ON BEHALF OF MY WIFE AND CHILDREN TO PLEASE TAKE INTO CONSIDERATION THAT I PRESENTED ALL THE NECESSARY EVIDENCE OF MY PRESENCE IN THE USA FROM 1982 TO THE PRESENT. PLEASE LOOK OVER MY CASE AND GRANT ME ANOTHER OPPORTUNITY TO BECOME A PERMANENT RESIDENT.

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 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. Although the applicant indicates that he is submitting additional documentary evidence with Form I-290B, it is noted that the documents submitted on appeal, including birth certificates for his children, a marriage certificate, and statements affirming his residence in the United States, were previously submitted and do not address the basis for the director's denial.

Pursuant to 8 C.F.R. § 245a.17(b), the applicant was afforded two interviews in connection with his LIFE Act application, on November 20, 2003 and again on June 7, 2005. On both occasions, the applicant was unable to demonstrate an understanding of ordinary English. Specifically, the applicant failed both tests during both

interviews. The applicant did not provide evidence of having passed a standardized citizenship test, as permitted by 8 C.F.R. § 312.3(a)(1).

Furthermore, the applicant does not have a high school diploma or a GED from a United States school, and therefore does not satisfy the regulatory requirement of 8 C.F.R. § 245a.17(a)(2). The applicant also has not demonstrated that she attended, or was attending, a state recognized, accredited learning institution in the United States that provides a course of study for a period of one academic year (or the equivalent thereof according to the standards of the learning institution) with curriculum including at least 40 hours of instruction in English and United States history and government as allowed under 8 C.F.R. § 245a.17(a)(3).

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

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