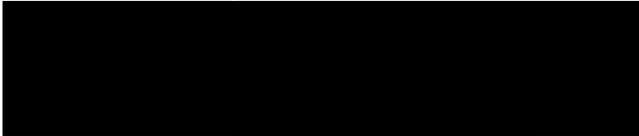




U.S. Citizenship
and Immigration
Services

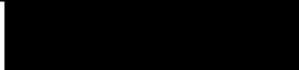
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prevent clearly unwarranted
invasion of personal privacy



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FILE:



Office: BALTIMORE

Date: FEB 07 2007

MSC 02 211 61694

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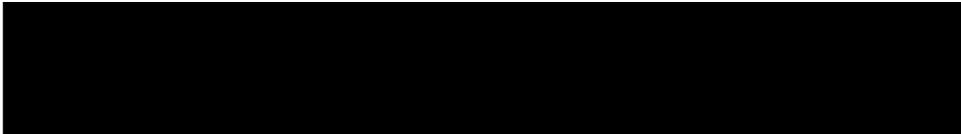
Applicant:



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:



INSTRUCTIONS:

This is the decision of the Administrative Appeals Office in your case. The file has 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, Baltimore, Maryland. The applicant subsequently appealed to the Administrative Appeals Office (AAO). In a decision dated January 31, 2005, the AAO dismissed the applicant's appeal. On March 7, 2005, the applicant filed a Motion to Reconsider Dismissal of Appeal, which is now before the AAO. The motion will be rejected.

The AAO denied the application because the applicant had not demonstrated that he had continuously resided in the United States in an unlawful status from before January 1, 1982 through May 4, 1988, and noted that the applicant was ineligible due to his felony conviction.

The AAO has no authority to accept motions to reconsider from LIFE Act applicants. The regulation at 8 C.F.R. § 245a.20(c) provides that "motions to reopen a proceeding or reconsider a decision shall not be considered under this Subpart B [Appeals process]." Therefore, the motion must be rejected.

ORDER: The motion is rejected.