



U.S. Citizenship  
and Immigration  
Services

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FILE: [REDACTED]  
MSC 02 246 66506

Office: HOUSTON

Date: FEB 09 2007

IN RE: Applicant: [REDACTED]

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:

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. 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.

A handwritten signature in black ink, appearing to read "R. Wiemann", with a large loop at the end.

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, Houston, Texas, and is now before the Administrative Appeals Office (AAO) on appeal. The appeal will be rejected.

The director denied the application because the applicant failed to establish that he satisfied the “basic citizenship skills” required under section 1104(c)(2)(E) of the LIFE Act.

On appeal, the applicant states that he has begun taking the required English classes to qualify for benefits under the LIFE Act. The applicant submits no further documentation on appeal.

An affected party filing from within the United States has 30 days from the date of an adverse decision to file an appeal. An appeal received after the 30-day period has tolled will not be accepted. The 30-day period for submitting an appeal begins three days after the Notice of Decision is mailed. 8 C.F.R. § 245a.20(b)(1).

The record reflects that the director sent his decision of October 14, 2004 to the applicant at his address of record in the United States. Although the director instructed the applicant to submit his appeal to the district office and specifically instructed him not to submit it directly to the AAO, the applicant mailed his appeal to the AAO. The AAO returned the appeal to the applicant with instructions on where to properly file his appeal. The district office received the properly appeal on December 8, 2004, 55 days after the director issued his decision. Therefore, the appeal was untimely filed.

**ORDER:** The appeal is rejected as untimely filed.