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U.S. Department of Homeland Security  
20 Mass. Ave., N.W., Rm. 3000  
Washington, DC 20529



U.S. Citizenship  
and Immigration  
Services

FEB 22 2007

L2

FILE: [REDACTED]

MSC 01 310 60779

Dear [REDACTED]

On August 6, 2001, you filed an 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 August 24, 2004, the District Director, Los Angeles, California, denied your application. You have appealed that decision, and the appeal is now before the Administrative Appeals Office (AAO).

During the adjudication of your appeal, information has come to light that seriously compromises the credibility of your claims. Based upon this information, the AAO intends to dismiss your appeal. Pursuant to Citizenship and Immigration Services (CIS) regulations at 8 C.F.R. § 103.2(b)(16)(i), we hereby notify you of this derogatory information and provide you with an opportunity to respond before we render our final decision.

You have submitted only one document to establish your presence in the United States prior to 1984. This document is an uncorroborated statement from your cousin and former employer, [REDACTED]. You submitted no contemporaneous documentation such as a pay slip, canceled check, envelopes, or similar documentary evidence of your presence and residency in the United States during this period. Further, you submitted no objective and independent corroborative affidavits from individuals who could establish your presence and residency in the United States during the stated period.

Additionally, in a 1997 affidavit, you stated that you had worked at [REDACTED] in Gardena, California since 1983. You did not give the name of your employer. Furthermore, you did not indicate on your Form I-687, Application for Status as a Temporary Resident, which you signed under penalty of perjury on September 13, 1989, that you had ever worked at such an address.

Doubt cast on any aspect of the applicant's proof may lead to a reevaluation of the reliability and sufficiency of the remaining evidence offered in support of the visa petition. It is incumbent upon the applicant to resolve any inconsistencies in the record by independent objective evidence, and attempts to explain or reconcile such inconsistencies, absent competent objective evidence pointing to where the truth, in fact, lies, will not suffice. *Matter of Ho*, 19 I&N Dec. 582, 591-92 (BIA 1988). The above derogatory information indicates that you have misrepresented information regarding your presence and residency in the United States and thus casts doubt on your eligibility for this visa classification.

[REDACTED]

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If you choose to contest the AAO's findings, you must offer substantial evidence from credible sources addressing, explaining, and rebutting the discrepancy described above. The regulation at 8 C.F.R. § 103.2(b)(16)(i) does not specify the amount of time afforded to an applicant or petitioner to respond to derogatory evidence. We consider thirty (30) days to be ample time for this purpose. Therefore, you are hereby afforded 30 days from the date of this letter in which to respond to this notice. If you do not submit such evidence within the allotted thirty-day period, the AAO will dismiss your appeal. If you choose to respond, please submit your response to the address shown on the first page of this letter. Also, please reference your file number, A93 148 995, in your response.



Robert P. Wiemann, Chief  
Administrative Appeals Office

cc: [REDACTED]