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U.S. Department of Homeland Security
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Washington, DC 20529



U.S. Citizenship
and Immigration
Services

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FILE:

MSC 02 243 66352

Office: MIAMI

Date:

JAN 09 2007

IN RE:

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. 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.


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, Miami, and is now before the Administrative Appeals Office on appeal. The appeal will be rejected.

The director concluded the applicant had not established that she had applied for class membership in any of the requisite legalization class-action lawsuits prior to October 1, 2000 and, therefore, denied the application.

The applicant filed this appeal in the form of a "Motion to Reopen" to the Miami District Office. The regulation at 8 C.F.R. § 245a.20(a)(2) provides that an appeal from the denial of an application for permanent resident status under the LIFE Act be made on Form I-290B, Notice of Appeal to the Administrative Appeals Office. As Form I-290B was not filed in accordance with 8 C.F.R. § 245a.20(a)(2), the appeal has not been properly filed, and must be rejected.

ORDER: The appeal is rejected.