



U.S. Citizenship  
and Immigration  
Services

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FILE: [REDACTED]  
MSC 01 304 60388

Office: NEW YORK

Date: JUN 28 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.

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, New York, New York, 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 she satisfied the “basic citizenship skills” required under section 1104(c)(2)(E) of the LIFE Act.

On appeal, the applicant stated that she was currently attending an adult continuing education class, and requests a second change to comply with the basic citizenship skills requirement of the LIFE Act. The applicant submits additional documentation in support of the 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 her decision of March 19, 2005 to the applicant at her address of record in the United States. The applicant was informed that she should file any appeal of that decision to the New York District Office. However, the applicant mailed her appeal to the AAO, who returned it with specific instructions on where the appeal should be filed. The New York District Office received the appeal on May 20, 2005, 62 days after the director issued her decision. Therefore, the appeal was untimely filed.

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