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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

LL

PUBLIC COPY

[redacted]

FILE: [redacted] Office: LOS ANGELES Date: MAR 05 2007
MSC 02 099 60740

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:

[redacted]

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. Any further inquiry must be made to that office.

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, Los Angeles, California, and is now before the Administrative Appeals Office (AAO) on appeal. The appeal will be summarily dismissed.

The director denied the application because the applicant had not demonstrated that she had continuously resided in the United States in an unlawful status since before January 1, 1982 through May 4, 1988. Section 1104(c)(2)(B) of the LIFE Act; 8 C.F.R. § 245a.11(b).

On appeal, counsel asserts that the applicant has been denied due process as Citizenship and Immigration Services (CIS) failed to provide a copy of the record as he requested pursuant to the Freedom of Information Act (FOIA). Counsel submitted a brief in support of the appeal but did not address the merits of the director's denial.

In a telephone call of February 2, 2007, the office responsible for responding to FOIA requests for LIFE Act applications, the National Benefits Center, confirmed that a copy of the applicant's record of proceeding was sent to counsel of record on January 20, 2006. However, as of the date of this decision, more than 13 months after the FOIA response, no further documentation has been received by the AAO. Therefore, the record will be considered complete as presently constituted.

The regulation at 8 C.F.R. § 103.3(a)(1)(v) states, in pertinent part:

> An officer to whom an appeal is taken shall summarily dismiss any appeal when the party concerned fails to identify specifically any erroneous conclusion of law or statement of fact for the appeal.

The applicant has failed to identify specifically any erroneous conclusion of law or a statement of fact in this proceeding; therefore, the appeal must be summarily dismissed.

ORDER: The appeal is summarily dismissed. This decision constitutes a final notice of ineligibility.