

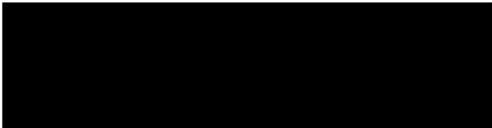
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U.S. Citizenship
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FILE: [REDACTED] MSC 02 246 60070

Office: CHICAGO

Date: MAR 05 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:



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, Chicago, Illinois, and is now before the Administrative Appeals Office on appeal. The appeal will be summarily dismissed.

The director denied the application because the applicant had not demonstrated that he 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 all of the evidence submitted substantiates the applicant's claim of residing in the United States during the prescribed period. Counsel submits a brief in support of the appeal.

The director advised the applicant in his Notice of Intent to Deny (NOID) dated July 7, 2004, that the only evidence that he submitted was subsequent to the requisite period and that he had failed to submit any evidence in support of his application for benefits under the LIFE Act. In response, counsel submitted the same brief that he now submits on appeal. No new documentary evidence was submitted in support of the application in response to the NOID or on appeal.

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.

The applicant filed another Form I-687, Application for Status as a Temporary Resident, on August 9, 2004. The record does not reflect that the district office has finally adjudicated this application, and it is not at issue in this appeal.

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