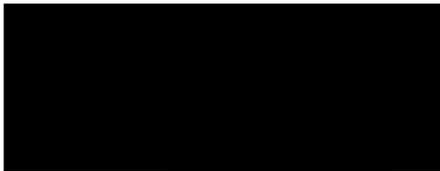


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prevent clearly unwarranted
invasion of personal privacy**



**U.S. Citizenship
and Immigration
Services**

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FILE: [REDACTED]
MSC 02 225 65395

Office: LOS ANGELES

Date: **OCT 02 2007**

IN RE: Applicant: [REDACTED]

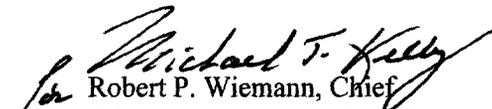
APPLICATION: Application for Status as a Permanent Resident pursuant to Section 1104 of the Legal Immigration Family Equity (LIFE) Act of 2000, Pub. L. 106-553, 114 Stat. 2762 (2000), amended by LIFE Act Amendments, Pub. L. 106-554, 114 Stat. 2763 (2000)

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

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). The director also denied the application for the applicant's failure to respond to the request for evidence.

On appeal, the applicant states that he has attempted to obtain certified copies of the court disposition of the offense for which he was arrested on June 19, 1986.

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 February 28, 2007 to the applicant at his address of record in the United States. Although the director advised the applicant in her Notice of Decision that his appeal must be filed with the Los Angeles District Office, the applicant submitted his appeal directly to the AAO. Citizenship and Immigration Services (CIS) received the properly filed appeal at the Los Angeles District Office on June 12, 2007, 104 days after the director issued her decision. Therefore, the appeal was untimely filed.

The record reflects that the applicant was arrested on June 19, 1986 by the Hollister, California Police Department and charged with presenting a false identification to a peace officer and on October 10, 2006 by the Norwalk, California Sheriff's Office and charged with force or assault with a deadly weapon not a firearm. The documentation submitted by the applicant has not been responsive to the director's request to provide the final official disposition of these offenses.

ORDER: The appeal is rejected as untimely filed.