

**identifying data deleted to  
prevent clearly unwarranted  
invasion of personal privacy**



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

**PUBLIC COPY**



L2

FILE: [Redacted]  
MSC 04 085 14791

Office: WEST PALM BEACH

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. The file has been returned to the National Benefits Center. 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, West Palm Beach, and is now before the Administrative Appeals Office (AAO) on appeal. The appeal will be rejected.

The director concluded the applicant failed to appear for a scheduled interview with a legalization officer.

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 3 days after the Notice of Decision is mailed. 8 C.F.R. § 245a.20(b)(1)

The record reflects that the director sent his decision of December 1, 2005 to the applicant. The applicant attempted to file a timely appeal. However, when initially filed, the appeal was not accompanied by the correct filing fee. As such, the appeal was returned to the applicant with a notice informing her of the deficiency. Citizenship and Immigration Services (CIS) ultimately received the appeal with the proper filing fee 70 days after the denial was issued on February 9, 2006. Therefore, the appeal was untimely filed.

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