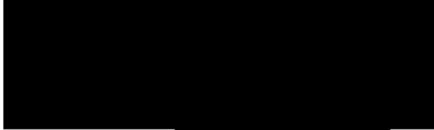


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U.S. Citizenship  
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Services

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FILE:



Office: LOS ANGELES

Date: **OCT 29 2007**

MSC 01 359 62766

IN RE:

Applicant:



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 district director denied the application because the applicant had not demonstrated that she resided in the United States in a continuous unlawful status from before January 1, 1982 through May 4, 1988, as required by section 1104(c)(2)(B) of the LIFE Act, and was continuously physically present in the United States from November 6, 1986 through May 4, 1988, as required by section 1104(c)(2)(C) of the LIFE Act.

On appeal, the applicant asserts that she submitted documentation in compliance with the regulations, which establish her eligibility for benefits under the LIFE Act.

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 10, 2006 to the applicant at her address of record in the United States. Although she was advised to file her appeal with the office that rendered the adverse decision on her application, the applicant mailed her appeal to the AAO, who returned it with instructions on where the appeal should be filed. Citizenship and Immigration Services (CIS) received the properly filed appeal on May 19, 2006, 98 days after the director issued her decision. Therefore, the appeal was untimely filed. Even if the AAO had accepted the appeal, it was received on March 17, 2006, more than 33 days after service of the decision.

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