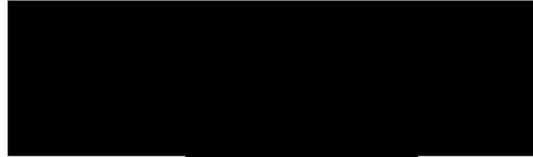




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identifying data deleted to  
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FILE: MSC-02-134-62944

Office: NEW YORK

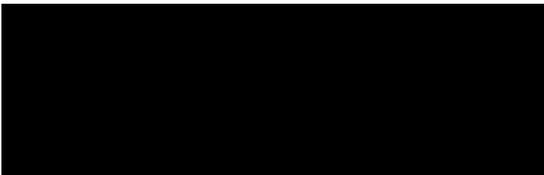
Date: SEP 28 2007

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:



**INSTRUCTIONS:**

This is the decision of the Administrative Appeals Office in your case. The file has been returned to the office that originally decided your case. If your appeal was sustained, or if your case 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, New York, and is now before the Administrative Appeals Office (AAO) on appeal. The appeal will be dismissed.

The director denied the application because the applicant did not succeed in passing his second and final test of his English ability and/or knowledge of U.S. history and government. The director referred to the Notice of Intent to Deny (NOID), which explained that the applicant had not passed his initial test of English ability and knowledge of U.S. history and government and stated the language, history and government requirements for LIFE Legalization. The director also considered the application, as required, under Section 101 of the Immigration Reform and Control Act (IRCA) of 1986 and found the applicant had not established eligibility for temporary resident status under Section 245A of the Immigration and Nationality Act as in effect before enactment of Section 1104 of the LIFE Act.

On appeal, the applicant explained that he has enrolled in English classes since he failed the second test and has made progress. The applicant stated that he hoped he would now be able to pass the English test if given another chance. The applicant provided no additional evidence or explanation to overcome the reasons for denial of his application. Specifically, the applicant failed to include documentation indicating he actually meets the English language and U.S. history and government requirements for LIFE Act legalization.

As stated in 8 C.F.R. § 103.3(a)(3)(iv), any appeal which is filed that fails to state the reason for appeal, or is patently frivolous, will be summarily dismissed.

A review of the decision reveals the director accurately set forth a legitimate basis for denial of the application. On appeal, the applicant has not presented additional evidence. Nor has he addressed the grounds stated for denial. The appeal must therefore be summarily dismissed.

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