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Department of Homeland Security
20 Mass. Ave., N.W., Rm. 3000
Washington, D.C. 20529



U.S. Citizenship
and Immigration
Services

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FILE: [REDACTED]
MSC 02 236 62895

Office: LOS ANGELES

Date: **APR 01 2008**

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. 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, Los Angeles, California, and is now before the Administrative Appeals Office on appeal. The case will be remanded for further action and consideration.

When an officer denies an application, “the officer shall explain in writing the specific reasons for denial.” 8 C.F.R. § 103.3.

The director denied the application on December 30, 2005, noting that the denial was based on the applicant’s failure to submit a rebuttal to the grounds for the proposed denial set forth in the Notice of Intent to Deny (NOID). The applicant, however, denies receiving the NOID, and requests 90 days in which to submit additional evidence on appeal. The record does not reflect that the applicant was provided with a copy of the NOID subsequent to his appeal.

The director’s decision does not clearly indicate the specific basis for the denial. Therefore, the case will be remanded for the issuance of a new decision that sets forth the specific reasons for the denial. If the new decision is adverse, it shall be certified to this office.

As always in these proceedings, the burden of proof remains solely on the applicant. Section 291 of the Act, 8 U.S.C. § 1361.

ORDER: The case is remanded to the director for entry of a new decision.