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FILE: [REDACTED] MSC 02 037 62378

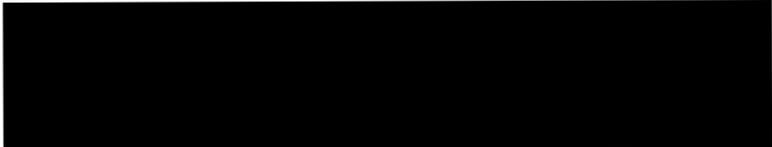
Office: NEW YORK

Date: **APR 29 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:



INSTRUCTIONS:

This is the decision of the Administrative Appeals Office in your case. If your appeal was dismissed or rejected, all documents have been returned to the National Benefits Center. 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. If your appeal was sustained or remanded for further action, you will be contacted.

Robert P. Wiemann, Chief
Administrative Appeals Office

DISCUSSION: The District Director, New York, New York, denied the application for permanent resident status under the Legal Immigration Family Equity (LIFE) Act for abandonment on March 9, 2005. The application was reopened on service motion and again denied on June 11, 2006. The matter is now before the Administrative Appeals Office on appeal. The appeal will be summarily dismissed.

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).

On appeal, the applicant states that he has submitted the “maximum proofs” that he could submit. The applicant submitted no documentation in support of his appeal.

The record contains a single affidavit from a friend of the applicant attesting to his continued residence and presence in the United States. Additionally, the director noted in his Notice of Intent to Deny issued on April 21, 2006, that the applicant stated during his interview on that date, that he left the United States in 1982 and did not return until 1989. The applicant did not address this issue on appeal.

The regulation at 8 C.F.R. § 103.3(a)(3)(iv) provides that any appeal that is filed that fails to state the reason for appeal, or is patently frivolous, will be summarily dismissed. The applicant has failed to address the reasons stated for denial and has not provided any additional evidence on appeal. The appeal must therefore be summarily dismissed.

The record reflects that on July 19, 2004, the applicant filed a Form I-687 application pursuant to the terms of the settlement agreements reached in *Catholic Social Services, Inc., et al., v. Ridge, et al.*, CIV. NO. S-86-1343-LKK (E.D. Cal) January 23, 2004, and *Felicity Mary Newman, et al., v. United States Immigration and Citizenship Services, et al.*, CIV. NO. 87-4757-WDK (C.D. Cal) February 17, 2004, (CSS/Newman Settlement Agreements). The director denied the application on June 11, 2006. The record does not reflect that the applicant has appealed the director’s denial of that application.

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