

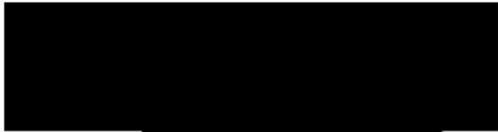


U.S. Citizenship
and Immigration
Services

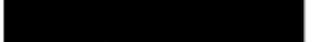
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FILE:



Office: HOUSTON

Date:

AUG 01 2008

MSC 02 043 60109

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. All documents have been returned to the National Benefits Center. 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, Houston, Texas. The decision is now before the Administrative Appeals Office (AAO) on appeal. The appeal will be dismissed.

The director denied the application because the applicant had failed to demonstrate his understanding of English and a knowledge and understanding of history and government of the United States as required under section 1104(c)(2)(E) of the LIFE Act. The director noted that the applicant failed to respond to a May 9, 2005 Notice of Intent to Deny (NOID), wherein the director notified the applicant that he had twice failed the citizenship skills test and failed to demonstrate a basic knowledge and understanding of the history and government of the United States. The director also noted that the applicant submitted a receipt and "Certificate of Recognition" from the Region IV Educational Service Center.¹

As noted by the director, the record does not reflect that the applicant responded to the NOID. No additional evidence was received. In the Notice of Decision, dated August 9, 2005, the director denied the instant application based on the reasons stated in the NOID.

On appeal, counsel does not state a reason for the appeal. It is noted that counsel stated on the Notice of Appeal to the Administrative Appeals Office (AAO), Form I-290B, filed September 9, 2005, that an appeal brief will be submitted within 30 days. However, the record does not reflect receipt of an appeal brief. Also, counsel does not submit any additional evidence on appeal. As of the date of this decision, no additional evidence has been submitted. Therefore, the record must be considered complete.

Any appeal that fails to state the reason for appeal, or is patently frivolous, will be summarily dismissed. 8 C.F.R. § 103.3(a)(3)(iv). A review of the decision reveals that the director accurately set forth a legitimate basis for denial of the application. On appeal, the applicant has not presented additional evidence and has not addressed the basis for denial. The appeal must therefore be summarily dismissed.

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

¹ It is noted that the "Certificate of Recognition," referenced above, states that the applicant has completed 82 hours of "English as a Second Language." However, the applicant has not provided evidence that he has attended or is attending a course of study at any institution for a period of one academic year (or the equivalent thereof according to the standards of the learning institution) as required under the provisions of 8 C.F.R. § 245a.17(a)(3). Therefore, the applicant does not satisfy either alternative of the "basic citizenship skills" requirement set forth in section 1104(c)(2)(E)(i) of the LIFE Act.