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U.S. Department of Homeland Security
20 Mass. Ave., N.W., Rm. 3000
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U.S. Citizenship
and Immigration
Services

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FILE: [REDACTED]
MSC 02 064 61503

Office: NEW YORK

Date: **AUG 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:

SELF-REPRESENTED

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.

A handwritten signature in black ink, appearing to read "Robert P. Wiemann".

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 summarily dismissed.

The district director denied the application because the applicant failed to demonstrate that he entered the United States before January 1, 1982, and continuously resided in the United States in an unlawful status since such date through May 4, 1988, as required by section 1104(c)(2)(B) of the LIFE Act.

On appeal, dated February 24, 2008, the applicant requests he be given additional time to submit evidence.¹ The applicant states that he is visiting India and will produce more evidence when he returns. As of the date of this decision, no additional evidence has been received. Therefore, the record will be considered complete.

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

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. Nor has he specifically addressed the basis for denial. The appeal must therefore be summarily dismissed.

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

¹ The Form I-290B, Notice of Appeal, was filed by ~~Raghubir K. Gupta~~, on behalf of the applicant. It is noted that Mr. ~~Gupta~~ was convicted in the United States District Court for the Southern District of New York for willfully causing the subscription of an immigration document containing a material false statement and presenting an immigration document containing a false statement. *In re: ~~Raghubir K. Gupta~~, Attorney*, ___ I&N ___ (BIA May 7, 2008). ~~Mr. Gupta~~ was immediately suspended by the Board of Immigration Appeals on May 7, 2008, based on the conviction, pending final disposition of the case. Therefore, his appearance will not be recognized.