



U.S. Citizenship
and Immigration
Services

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[REDACTED]

FILE:

MSC 02 131 61840

Office: NEW YORK Date:

AUG 29 2008

IN RE:

Applicant: [REDACTED]

PETITION: 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 PETITIONER:

SELF-REPRESENTED

INSTRUCTIONS:

This is the decision of the Administrative Appeals Office in your case. The file has been returned to the National Benefits Center. If your appeal was sustained, or if the matter 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 summarily dismissed.

An applicant for permanent resident status under section 1104 of the LIFE Act has the burden to establish by a preponderance of the evidence that he or she has resided in the United States for the requisite periods, is admissible to the United States and is otherwise eligible for adjustment of status under this section. The inference to be drawn from the documentation provided shall depend on the extent of the documentation, its credibility and amenability to verification. 8 C.F.R. § 245a.12(e).

The applicant submitted insufficient evidence to credibly document her continuous residence in an unlawful status and her continuous presence in the United States during the relevant period. Specifically, in addition to finding her affidavits of support insufficient, the district director found that the record contained a sworn statement from the applicant confirming that she had not been in the United States since before June 16, 1989. Consequently, the application was denied on June 17, 2006.

On appeal, the applicant submits Form I-290B on which she requests an additional 120 days in which to file a brief, claiming that the application was improperly denied. An accompanying letter from the applicant dated July 10, 2006 claims that she has lost copies of her file and has submitted a request for her file pursuant to the Freedom of Information Act (FOIA). Consequently, she requests the extension be granted to allow her time to receive a copy of her file and prepare her response.

A review of Citizenship and Immigration Services (CIS) records indicates that the applicant's request for a copy of her entire file was processed on January 24, 2008. As of the date of this decision, however, no additional brief or additional evidence has been submitted in support of the appeal. The applicant's Form I-290B and accompanying letter of support merely allege that the director's decision was improper.

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. The applicant's general statement on the Form I-290B, without specifically identifying any errors on the part of the director, is simply insufficient to overcome the well-founded and logical conclusions the director reached based on the evidence submitted by the applicant.

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.

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