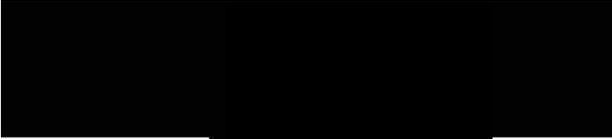


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Services

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FILE: [Redacted]
MSC 01 283 60286

Office: PHILADELPHIA

Date: DEC 01

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.

John H. Vaughan
per

John F. Grissom, Acting Chief
Administrative Appeals Office

DISCUSSION: The application for permanent resident status under the Legal Immigration Family Equity (LIFE) Act was denied by the director in Philadelphia, Pennsylvania. It is now on appeal before the Administrative Appeals Office (AAO). The appeal will be dismissed.

The director denied the application on the ground that the applicant failed to establish that he entered the United States before January 1, 1982 and resided continuously in the United States in an unlawful status from before January 1, 1982 through May 4, 1988.

On his Form I-290B, Notice of Appeal, filed on October 18, 2006, the applicant asserted that he did not receive the director's Notice of Intent to Deny (NOID), dated August 8, 2006, and received the Notice of Denial, dated September 21, 2006, on October 8, 2006. The record reflects that the NOID was sent to the applicant at his address of record, as well as counsel's address of record, by registered mail with return receipts. Both NOIDs were returned to the director because the applicant failed to claim his mail and the mail sent to counsel was undeliverable as addressed. The Notice of Decision was also served by registered mail to the applicant and his attorney. The applicant claimed his mail this time on October 8, 2006, and filed a timely appeal.

The applicant does not allege any legal or factual error in the director's decision and submits no new evidence. As of the date of this decision, no additional evidence has been submitted, and the record will be deemed complete.

As provided 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.

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 addressed the grounds stated for denial, and has not cited any error(s) in the decision. Nor has the applicant presented additional evidence relevant to the grounds for denial.

The appeal must therefore be summarily dismissed.

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