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U.S. Citizenship  
and Immigration  
Services

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FILE:



Office: LOS ANGELES

Date:

FEB 11 2008

MSC 02 192 61848

IN RE:

Applicant:



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. All documents have been returned to the office that originally decided your case. Any further inquiry must be made to that office.

A handwritten signature in black ink, appearing to read "D. K. W.", written over a horizontal line.

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, Los Angeles, 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 director found that the applicant was not eligible to adjust status to that of legal permanent resident because he had been convicted of four misdemeanor offenses in the United States, and consequently issued a Notice of Intent to Deny the application on January 27, 2005. The applicant was afforded thirty days to rebut the director's findings. In response, the applicant submitted a letter from his church, affirming his membership and his good moral character. The director found this evidence insufficient to overcome the grounds for the denial, and the application was subsequently denied on September 29, 2005.

An applicant who has been convicted of a felony or three or more misdemeanors in the United States is ineligible for adjustment to permanent resident status. Section 245A(a)(4)(B) of the Immigration and Nationality Act (the Act); 8 U.S.C. § 1255a(a)(4)(B). The regulations provide relevant definitions at 8 C.F.R. § 245a.

The record in this instance indicates that the applicant was convicted of the following misdemeanors in the State of California, Long Beach Courthouse:

- August 14, 1991: 23152 (B) VC MISD – 0.8% MORE WGHT ALCHL DRIVE VEH  
12500 (A) VC MISD – UNLICENSED DRIVER  
(Case No. [REDACTED])
- February 27, 1992: 23152 (B) VC MISD – 0.8% MORE WGHT ALCHL DRIVE VEH  
(Case No. [REDACTED])
- October 18, 1993: 14601.1 (A) VC MISD – DRIVING WITH SUSPENDED LICENSE  
(Case No. [REDACTED])
- October 24, 1994: 14601.1 (A) VC MISD – DRIVING WITH SUSPENDED LICENSE  
(Case No. [REDACTED])

On appeal, the applicant submits Form I-290B, and provides the following statement:

This letter constitutes my formal appeal to get the benefits of LIFE program. As I stated in my application I came to the United States in 1981 and since I came to this great nation I always tried to be an asset to my family, my neighborhood, and the nation not to become a public charge. Now I am asking that you reconsider my case and be granted the permanent resident status in the United States of America.

Will be devastating an adverse decision for me and my wife also for my children due to the fact I am the one who care for all of them.

I am a devout Catholic now leaving all my emotional problems back in order to be an example for my family. Also I came to work not to wait for any kind of support. I really thank you for all your help in this case.

No additional evidence is submitted.

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 makes no attempt to address the misdemeanor convictions and the regulatory provisions governing their affect on the applicant's eligibility.

The applicant has failed to address the reasons stated for denial and has not provided any additional evidence on appeal. The grounds for the denial have not been overcome. The appeal must therefore be summarily dismissed.

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