



U.S. Citizenship
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Services

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FILE:

MSC 02 159 63180

Office: NEW YORK

Date:

JUL 14 2008

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. 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 physical presence in the United States during the relevant period. Specifically, the district director found that the evidence submitted in support of the application was insufficient to establish that the applicant had continuously resided in the United States in an unlawful status since before January 1, 1982 through May 4, 1988, and that stamps in her passport indicated that she was absent from the United States at times during which she claimed to have been present. Furthermore, the director noted that the numerous affidavits submitted in support of her application were insufficient to establish her eligibility. Consequently, the district director issued a Notice of Intent to Deny (NOID) the application on September 25, 2006, and afforded the applicant 30 days in which to submit credible evidence to show that she had continuously resided in the United States during the requisite period. The applicant's response failed to overcome the bases for the director's denial, and consequently the application was denied on January 9, 2007.

On appeal, the applicant submits Form I-290B on which she states:

APPLICANT APPEALS THE USCIS' DENIAL OF APPLICATION TO REGISTER PERMANENT RESIDENCE BASED ON THE LIFE LEGALIZATION LEGISLATION AS CONTAINED IN THE LEGAL IMMIGRATION FAMILY ACT (LIFE). THE EVIDENCE CONTAINED IN THE APPLICANT'S IMMIGRATION RECORD IN POSSESSION BY THE IMMIGRATION SERVICE SHOWS THAT THE APPLICANT HAS BEEN IN THE UNITED STATES SINCE PRIOR TO JANUARY 1, 1982. THE APPLICANT ASKS THE ADMINISTRATIVE APPEALS UNIT TO REVIEW HER CASE AND MAKE A FAVORABLE DECISION.

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.