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U.S. Department of Homeland Security  
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Washington, DC 20529



U.S. Citizenship  
and Immigration  
Services

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[REDACTED]

FILE:

MSC 02 228 607

Office: NEW YORK

Date: **JUL 21 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:

[REDACTED]

INSTRUCTIONS:

This is the decision of the Administrative Appeals Office in your case. All documents have been returned to the National Benefits Center. If your appeal was sustained, or if your case 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. The decision is now before the Administrative Appeals Office (AAO) on appeal. The appeal will be dismissed.

The director denied the application because the applicant had failed to establish that he satisfied the residence requirement under section 1104(c)(2)(B) of the LIFE Act.

On October 19, 2006, the director issued a notice of intent to deny (NOID) requesting that the applicant submit additional evidence to establish eligibility. The director noted that the applicant's passport indicates that he had been absent from the United States from March 1987 to July 1987, having left the United States to go to France and Angola. The director also noted that the applicant had listed three sons born in Mali on October 10, 1982, January 1, 1986, and February 2, 1988, although the applicant stated that his wife never traveled to the United States. The director granted the applicant thirty (30) days to submit additional evidence.

The record does not reflect that the applicant responded to the NOID. No additional evidence was received. In the Notice of Decision, dated November 27, 2006, the director denied the instant application based on the reasons stated in the NOID.

On appeal, counsel stated only that the applicant never received the NOID and it was unfair to deny the application. No other reason was given for the appeal. Counsel did not submit any additional evidence on appeal. The AAO, therefore, mailed a copy of the NOID to the applicant and to counsel on May 30, 2008, and granted the applicant thirty (30) days to submit additional evidence. However, the record does not reflect the receipt of a response. As of the date of this decision, no additional evidence has been submitted. Therefore, the record will be deemed complete.

Any appeal that fails to state the reason for appeal, or is patently frivolous, will be summarily dismissed. 8 C.F.R. § 103.3(a)(3)(iv). 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 and has not addressed the basis for denial. The appeal must therefore be summarily dismissed.

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