



U.S. Citizenship
and Immigration
Services

identifying data deleted to
prevent clearly unwarranted
invasion of personal privacy

PUBLIC COPY

L2



File: [Redacted]
MSC 02 252 62244

Office: LOS ANGELES

Date: MAR 05 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).

IN BEHALF OF APPLICANT: 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.

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 rejected as untimely filed.

The district director denied the application, noting that the applicant had failed to demonstrate that she had continuously resided in the United States in an unlawful status since before January 1, 1982 through May 4, 1988 as required by section 1104(c)(2)(B) of the LIFE Act. Specifically, the director found that unresolved inconsistencies in the evidence submitted cast doubt upon the validity of the applicant's claims.

An affected party filing from within the United States has 30 days from the date of an adverse decision to file an appeal. An appeal received after the 30-day period has tolled will not be accepted. The 30-day period for submitting an appeal begins 3 days after the Notice of Decision is mailed. 8 C.F.R. § 245a.20(b)(1).

The record indicates that the director issued the decision on January 21, 2006, and mailed a copy of this notice to the applicant at her address of record. The record shows that the notice was not returned by the United States Postal Service as unclaimed or undeliverable. According to the date stamp on the Form I-290B Notice of Appeal, it was received by Citizenship and Immigration Services (CIS) on Friday, February 24, 2006, or 34 days after the decision was issued. Accordingly, the appeal was untimely filed and must be rejected.

ORDER: The appeal is rejected.