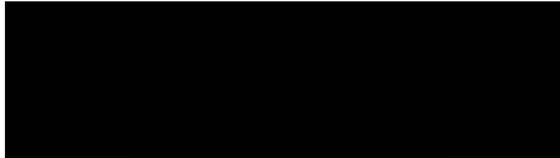


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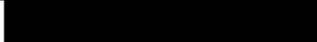
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FILE:



Office: NEW YORK

Date:

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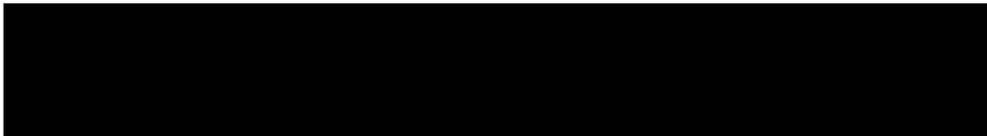
Applicant:



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. The file has been returned to the office that originally decided your case. 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, and is now before the Administrative Appeals Office (AAO) on appeal. The appeal will be dismissed.

The director denied the application because the applicant did not succeed in passing his first and second test of knowledge of the English language and United States history and government. The director found the applicant had failed to demonstrate his knowledge and understanding of English and United States history and government.

On appeal, the applicant explained that he was feeling nervous in the interview, and he requested another opportunity to demonstrate his ability. The applicant also submitted documentation indicating he joined an adult language program on May 12, 2005.

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.

A review of the decision reveals the director accurately set forth a legitimate basis for denial of the application. On appeal, the applicant has not presented additional evidence. Nor has he addressed the grounds stated for denial. Specifically, the applicant did not provide any evidence that he had passed the test of English language and United States history and government. Nor did the applicant demonstrate that he had otherwise met the English language and United States history and government requirements for permanent resident status as of the second interview on October 22, 2004, as required by 8 C.F.R. § 245a.17(a). The appeal must therefore be summarily dismissed.

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