

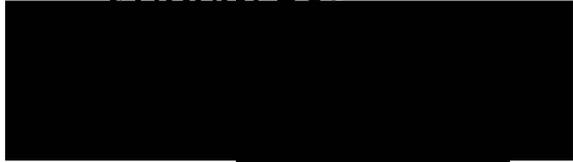


U.S. Citizenship
and Immigration
Services

**Identifying data deleted to
prevent clearly unwarranted
invasion of personal privacy**

PUBLIC COPY

L-2



FILE:



Office: SAN FRANCISCO

Date:

MAY 28 2008

MSC 02 252 63542

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, San Francisco, 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 his continuous residence in an unlawful status and his continuous presence in the United States during the relevant period. Specifically, the district director found that a number of the affidavits submitted in support of the application provided contradictory information, and that such inconsistencies were not clarified by the applicant. The director noted that some affidavits directly contradicted the applicant's own oral and written testimony, and concluded that the veracity and credibility of the documentary evidence submitted in support of the applicant could not be verified. Therefore, the director concluded that the application contained insufficient evidence to demonstrate the applicant had entered the United States prior to January 1, 1982 and continuously resided in the United States in an unlawful status through May 4, 1988, and the application was denied on September 21, 2006.

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

I am appealing against the decision of the District Director dated 9/21/06 because I was continuously physically present in the United States during the period beginning 02/1981 until May 1988. I lived in an unlawful status. I stated that I lived in New York, then in Oakland and after this in Hayward/CA. The persons who gave me affidavits, knew me from 1981 but the dates that I lived in these places was mixed up because it happened a long time ago. I do not have any other documents to support my claim of having lived in the USA since 1981 except the affidavits given from my friends.

I should be given another chance to explain everything because I have lived here since 1981 and feel that I am eligible to receive the benefits.

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. It is noted that no new evidence or documentation is submitted on appeal.

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.