

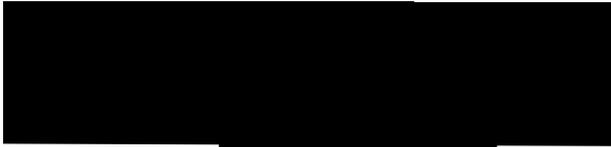
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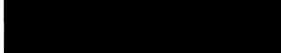
**U.S. Citizenship  
and Immigration  
Services**

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FILE:



MSC 02 200 60584

Office: DALLAS

Date:

**MAY 30 2008**

IN RE:

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. If your appeal was dismissed or rejected, all documents have been returned to the National Benefits Center. 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. If your appeal was sustained or remanded for further action, you will be contacted.

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, Dallas, Texas, and is now before the Administrative Appeals Office (AAO) on appeal. The appeal will be rejected.

The director denied the application because the applicant failed to establish that he satisfied the “basic citizenship skills” required under section 1104(c)(2)(E) of the LIFE Act.

On appeal, the applicant states that he completed an English as a second language fundamentals course but was unable to complete a civics course because he was the only one enrolled. The applicant states that he met the requirements of the regulation because he enrolled in these courses prior to his second interview.

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 three days after the Notice of Decision is mailed. 8 C.F.R. § 245a.20(b)(1).

The record reflects that the director sent her decision of August 17, 2006, to the applicant and counsel at their addresses of record in the United States. The applicant was advised to file his appeal with the district office in Dallas. However, the applicant submitted his appeal directly to the AAO, who returned it with instructions on where the appeal was to be filed. The district office received the appeal on October 10, 2006, 54 days after the director issued her decision. Therefore, the appeal was untimely filed.

**ORDER:** The appeal is rejected as untimely filed.