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U.S. Department of Homeland Security  
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U.S. Citizenship  
and Immigration  
Services

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FILE:

Office: LOS ANGELES

Date: NOV 17 2008

MSC 02 241 60355

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 Director, Los Angeles, California. The applicant subsequently appealed the director's decision to the Administrative Appeals Office (AAO). The AAO rejected the appeal pursuant to 8 C.F.R. § 103.2(a)(3) because the appeal Form I-290B was not signed by the applicant or anyone authorized to act on his behalf. The matter is now before the AAO on motion. The motion will also be rejected.

While the AAO may sua sponte reopen on its own motion a matter previously adjudicated, counsel reveals no error in the adjudication of the appeal that would warrant reopening. Therefore, the matter will not be reopened or reconsidered.

Because the application was filed under the provisions of section 1104 of the LIFE Act, the AAO must look to the regulations at subpart B of 8 C.F.R. § 245a that clarify the requirements for motions under the LIFE Act. Pursuant to 8 C.F.R. § 245a.20(c), motions to reopen a proceeding or reconsider a decision shall not be considered. Accordingly, the motion must be rejected

**ORDER:** The motion to reconsider is rejected.