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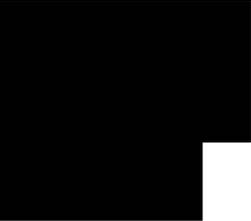


U.S. Citizenship
and Immigration
Services

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FILE:



Office: CHICAGO

Date:

OCT 03 2008

MSC 02 171 60492

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:

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.

for Michael T. Kelly
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, Chicago, Illinois, and is now before the Administrative Appeals Office (AAO) on appeal. The appeal will be dismissed.

The district director denied the application because the applicant failed to demonstrate that she entered the United States before January 1, 1982, and resided in a continuous unlawful status for the requisite statutory time period.

On appeal, the applicant asserts that she has submitted sufficient evidence to meet her burden of proof in substantiating her residence for the applicable time period.

Section 1104(c)(2)(B) of the LIFE Act states:

(i) In General – The alien must establish that the alien entered the United States before January 1, 1982, and that he or she has resided continuously in the United States in an unlawful status since such date and through May 4, 1988. In determining whether an alien maintained continuous unlawful residence in the United States for purposes of this subparagraph, the regulations prescribed by the Attorney General under section 245A(g) of the Immigration and Nationality Act (INA) that were most recently in effect before the date of the enactment of this Act shall apply.

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 regulation at 8 C.F.R. § 245a.12(f) states that the sufficiency of all evidence produced by the applicant will be judged according to its probative value and credibility; that to meet his or her burden of proof an applicant must provide evidence of eligibility apart from his or her own testimony; and that, in judging the probative value and credibility of the evidence submitted, greater weight will be given to the submission of original documentation.

The "preponderance of the evidence" standard requires that the evidence demonstrate that the applicant's claim is "probably true," where the determination of "truth" is made based on the factual circumstances of each individual case. *Matter of E-M-*, 20 I&N Dec. 77, 79-80 (Comm. 1989). In evaluating the evidence, *Matter of E-M-* also stated that "[t]ruth is to be determined not by the quantity of evidence alone but by its quality." *Id.* Thus, in adjudicating the application pursuant to the preponderance of the evidence standard, the director must examine each piece of evidence for relevance, probative value, and credibility, both individually and within the context of the totality of the evidence, to determine whether the fact to be proven is probably true.

Even if the director has some doubt as to the truth, if the applicant submits relevant, probative, and credible evidence that leads the director to believe that the claim is "probably true" or "more likely than not," the applicant has satisfied the standard of proof. *See U.S. v. Cardozo-Fonseca*, 480 U.S. 421 (1987) (defining "more likely than not" as a greater than 50 percent probability of something occurring). If the director can articulate a material doubt, it is appropriate for the director to either request additional evidence or, if that doubt leads the director to believe that the claim is probably not true, deny the application.

The regulation at 8 C.F.R. § 245a.15(b)(1) refers to 8 C.F.R. § 245a.2(d)(3) for a list of evidence that may establish an alien's continuous residence in the United States for the requisite period.

Although the regulations provide an illustrative list of contemporaneous documents that an applicant may submit, the list also permits the submission of affidavits and any other relevant document. *See* 8 C.F.R. § 245a.2(d)(3)(vi)(L).

The regulation at 8 C.F.R. § 245a.2(d)(3)(i) states that letters from employers attesting to an applicant's employment must: provide the applicant's address at the time of employment; identify the exact period of employment; show periods of layoff; state the applicant's duties; declare whether the information was taken from company records; and identify the location of such company records and state whether such records are accessible or in the alternative state the reason why such records are unavailable.

In the Notice of Intent to Deny (NOID), dated July 1, 2004, the director stated that the applicant failed to submit evidence demonstrating her continuous unlawful residence in the United States from prior to January 1, 1982, through May 4, 1988. In a May 24, 2005 decision, the director noted that the applicant had provided the same documents that had been previously submitted either initially or at the applicant's interview on December 16, 2003. The director indicated that an adjudicating officer of the Citizenship and Immigration Services (CIS): had attempted to verify the applicant's employment at Sybaris Clubs but that Sybaris Clubs was unable to verify that the applicant was an employee at the Sybaris Clubs facility; had attempted to contact someone from the First Congregational Church of Chicago but had been unsuccessful; had contacted [REDACTED], an affiant who had declared that she had known the applicant since Christmas of 1981, but who told CIS that she had met the applicant in 1996 or 1998; and, although trying on several occasions, had been unsuccessful in contacting [REDACTED], an affiant who had declared that he met the applicant in 1981 through the applicant's brother. The director noted that CIS had considered the W-2s for 1982, 1983, and 1984 that had been submitted as well as the check stubs for December 1981, January 1982, and March of 1982. The director determined, however, that the evidence submitted did not meet the criteria that would establish the applicant's claim of residence for the requisite time periods.

The record includes the Form I-687, Application for Status as a Temporary Resident pursuant to Section 245A of the Immigration and Nationality Act, that the applicant submitted on or about April 19, 1988. On the Form I-687, the applicant listed her addresses as: (1) [REDACTED] Rolling Meadows, Illinois from February 1981 to March 1985; (2) [REDACTED], Rolling Meadows, Illinois from March 1985 to October 1987; and (3) [REDACTED], Glenview, Illinois from October 1987 to the Form I-687 filing date (April 19, 1988).

The applicant indicated on the Form I-687 that she worked at Indian Hill Country Club as a housekeeper from February 1982 to March 1985 and at Sybaris Club in housekeeping from March 1985 to present. The applicant added at her October 13, 1988 interview that she also worked at ACI Wheeling, Inc., as a kitchen helper from February 1982 to February 1985 and that her employment at Indian Hill Country Club was part-time.

First, the AAO finds that the applicant has established by a preponderance of the evidence that she resided in the United States for that part of the requisite period extending from February 25, 1985 to May 4, 1988. The record contains letters/affidavits/responses prepared by different individuals claiming to be employed by Sybaris Clubs International and providing information regarding the applicant's employment:

- An original sworn and notarized "Declaration of Employer," a form affidavit on Sybaris letterhead, executed on May 2, 1988, by [REDACTED], as the Personnel Administrator of Sybaris Clubs International, Inc., who verifies that she is familiar with the applicant's employment history with Sybaris and is able to testify as to the following facts, based upon records maintained in the normal course of business: at the time of the declaration, the applicant had been employed by Sybaris Club No. 2, Inc., and had worked for the company since February 25, 1985, without interruption; the applicant's present title was housekeeper, and her present wage was \$5.50 per hour; her present address was [REDACTED], Rolling Meadows, Illinois 60008; and employment records are not available "because our employee personnel files are currently being held by our attorneys office."
- A letter dated September 2, 1993 submitted in support of the applicant's Form I-485, with the signature block of [REDACTED], Operations Director, indicating that the applicant was employed by Sybaris Clubs International from February 25, 1985 to October 17, 1991 at the Northbrook, Illinois location as a housekeeper. As this document is not signed, it merits little evidentiary weight.
- An original September 2, 1993 notarized affidavit on Sybaris Pool Suites letterhead, signed by [REDACTED], as Payroll Administrator, verifying that the applicant was employed by Sybaris Clubs International at its Northbrook, Illinois location from February 25, 1985 until October 17, 1991.
- An original May 28, 2003 notarized affidavit on Sybaris Pool Suites letterhead, signed by [REDACTED], as Payroll Administrator, verifying that the applicant was employed by Sybaris Clubs International at its Northbrook, Illinois location from February 25, 1985 until October 17, 1991.
- A copy of a facsimile to Sybaris Clubs International, prepared by a CIS adjudicator on January 20, 2005. The body of the letter reads:

Requesting employment verification for [the applicant] by Sybaris Clubs International at your Northbrook, Illinois location.

This is in regards to her adjustment of status [to] that of a permanent resident.

This document bears a handwritten response from [REDACTED], as Payroll/Human Resources Administrator, stating that she has "no record of this employee in our system." Strictly reading the language of this document, and particularly the fact that the CIS adjudicator did not specify a period of employment for confirmation, the AAO finds that the response indicates only that the applicant was not an employee at the time that the inquiry was received by Sybaris.

- An original June 2, 2005 notarized affidavit, on Sybaris Pool Suites letterhead, signed by [REDACTED], as Human Resource Coordinator, Sybaris Clubs International, Inc., confirming that the applicant was employed by Sybaris Clubs International, Inc. at its Northbrook Illinois location from February 25, 1985 until October 17, 1991.
- An original June 2, 2005 notarized affidavit, on Sybaris Pool Suites letterhead, signed by [REDACTED], as Human Resource Coordinator, Sybaris Clubs International, Inc., confirming that the applicant was employed by Sybaris Clubs International, Inc. at its Northbrook Illinois location from February 25, 1985 until October 17, 1991.

The record also contains these tax documents related to Sybaris:

- An original of Copy 2 of the applicant's Wage and Tax Statement for 1986 that specifies Sybaris Club #2 as the applicant's employer for that year.
- An original of a Wage and Tax Statement for 1987, File Copy, that specifies Sybaris Club #2 as the applicant's employer for that year.

The AAO notes that the May 1988 Sybaris letter from [REDACTED] does contain a declaration that the information was taken from company records, does identify the location of such company records, and does state whether such records are accessible or in the alternative state the reason why such records are unavailable, as required under 8 C.F.R. § 245a.2(d)(3)(i). The AAO also notes that [REDACTED]'s statement of record inaccessibility does not include a statement of the employer's willingness to come forward and give testimony as requested, as also required by 8 C.F.R. § 245a.2(d)(3)(i). The letter is, however, relevant, and it is consistent with the other letters submitted by Sybaris. Furthermore, the employment is corroborated by the two tax documents submitted from Sybaris, and those tax documents and the [REDACTED] letter both identify as the applicant's address the same address that the Form I-687 bears for the related period, namely, [REDACTED]

Rolling Meadows, Illinois. Furthermore, the letter and the tax documents concur with the employment period that the Form I-687 asserts for Sybaris. Based on these facts, the AAO finds that the applicant has established by a preponderance of the evidence that she resided unlawfully in the United States for the part of the requisite period extending from February 25, 1985 to May 4, 1988. For the reasons

discussed below, however, the applicant has not established by a preponderance of the evidence that she continuously resided unlawfully in the United States for the rest of the requisite period.

As discussed below, the applicant has submitted documents that conflict with each other and with the applicant's Form I-687 that is in the record of proceedings.

The record contains a copy of an Internal Revenue Service (IRS) Form 1099, Miscellaneous Income, for 1982, issued to the applicant at the [REDACTED] address, from Quantum Cargo Services, Inc.; a copy of an IRS Form W-2, Wage and Tax Statement (W-2), for 1983, issued to the applicant at the [REDACTED] address, from Unique Boxes, Inc.; an original W-2, for 1984, issued to the applicant at the [REDACTED] address, from Unique Boxes, Inc.; and copies of check/earnings/tax summaries ("check stubs" in the director's decision) from Universal Data Machine, Inc. regarding the applicant's earnings there in December 1981, January 1982, and March 1982. The Universal Data Machine documents do not include the applicant's address. However, the applicant stated on her Form I-687 that she did not live at the [REDACTED] address until October 1987. Also the applicant did not indicate that she was employed by Quantum Cargo Services Inc. or Unique Boxes, Inc either on the Form I-687 or at her CIS interview. This conflict between addresses listed on the Form I-687 and those listed on the IRS Forms, and the failure to disclose these employers on a previous application submitted to CIS (i.e., the Form I-687) diminishes the evidentiary value of these documents. It is incumbent upon the petitioner to resolve any inconsistencies in the record by independent objective evidence. Any attempt to explain or reconcile such inconsistencies will not suffice unless the applicant submits competent objective evidence pointing to where the truth lies. *See Matter of Ho*, 19 I&N Dec. 582, 591-92 (BIA 1988).

The AAO also notes that the applicant has submitted copies of two letters from the Ravenswood Church Federal Credit Union (RCFCU). A letter dated January 4, 1982 is signed by [REDACTED], as president of Ravenswood Church Federal Credit Union. In the letter, [REDACTED] states that the applicant was in the Credit Union Office on December 21, 1981 in order to apply for an open "piston" that the Credit Union had for an office clerk; but that as the applicant did not have a social security number, her application was not considered. The second letter, dated January 10, 1982, is submitted on the RCFCU letterhead and signed by [REDACTED] Secretary. Ms. [REDACTED] thanks the applicant for her interest in opening a savings account, but notes that the applicant cannot open an account until she has a valid social security number.

The two RCFCU documents merit little evidentiary weight. The copy of the letter from [REDACTED] bears a 1982 date, but it is addressed "C/O [REDACTED]" (apparently the applicant's brother) at the [REDACTED] address that the applicant's Form I-687 identifies as attained by her years later, that is, not until October 1987. Also according to the Form I-687, at the time of the RCFCU letter from [REDACTED] the applicant already had an established address, that is, [REDACTED], Rolling Meadows. This RCFCU document's authenticity is therefore questionable, to the extent that it conflicts with the address information that the applicant certified as true, under penalty of perjury, on the Form I-687. The content of the letter from [REDACTED] is questionable not only because it indicates as its origin the same organization that issued the [REDACTED] letter and bears a date proximate to the [REDACTED] letter, but also because it is addressed to "whom it may concern" without any explanation therein or from the applicant as to who in 1982 would be interested in the purported visit to the credit union and the fact that the applicant was refused employment for lack of a

social security number. The AAO further notes that because they are photocopies the letters carry less weight than they would if in original form, where alterations to content would be more easily detectable. *See* 8 C.F.R. § 245a.12(f) (which states in part: “In judging the probative value and credibility of the evidence submitted, greater weight will be given to the submission of original documentation.”).

The record of proceedings contains an original letter on the letterhead of ACI, [REDACTED] Wheeling, Illinois. The letter is signed by a [REDACTED], whose signature is notarized. The letter, addressed to “whom it may concern,” states that the following information about the applicant “is derived from official company records”:

Residence of time of employment: [REDACTED] d[,] Rolling Mills, Illinois

What year he [sic] started to work from: 2-1982 until 2-1985

Position held: Kitchen helper

Hourly wages: \$4.00 per hour

The AAO does not consider this evidence credible and probative. The AAO notes that the applicant added “ACI Wheeling, Inc.” to her Form I-687 employer’s list during her interview. However, [REDACTED] does not identify what position, if any, he holds with ACI. Further, the letter does not identify the location of the company records from which the employment information was derived, and it does not state whether such records are accessible, or in the alternative state the reason why such records are unavailable. *See* 8 C.F.R. § 245a.2(d)(3)(i). The letter’s listing of the applicant’s address as [REDACTED] also conflicts with the applicant’s Form I-687, which specifies that address for the period “from 3/85 to 10/87,” not 2/82 to 2/85 as specified in the ACI letter. The letter’s listing of the [REDACTED] address also conflicts with the record’s copies of 1983 and 1984 W-2 Forms from Unique Boxes - which list the applicant’s address for 1983 and 1984 as [REDACTED] – and these W-2 Forms also conflict with the Form I-687, which lists the applicant’s address as being [REDACTED], Rolling Meadows, for the period “from 2-81 to 3-85.”

The record of proceedings also includes:

- A copy of what appears to be an identification card, with picture, of the applicant, issued on May 30, 1985 to the applicant by First National Bank of Wheeling, in Wheeling, Illinois. The card does not indicate the applicant’s address. The copy is accompanied by a stamp, with date and initials entered in red ink, which indicates that the copy is a true copy of the original card and was submitted on 13 October 1988. The AAO recognizes this document as evidence of the applicant’s presence in Illinois on the date that the card was issued in 1985. (It should be noted that this decision has already stated that the petitioner has established her residence during May 1985, when the card was issued.)
- A copy of an original Sales Check receipt, issued by a K-Mart store on November 25, 1988, for the issue of an extended warranty. The purchaser line on the receipt bears the

applicant's name, and the purchaser's address is listed as "[REDACTED] Glenview 60008," which is consistent with the address that the applicant's Form I-687 lists for the period starting in October 1987. The AAO recognizes this document as evidence of the applicant's address on the date indicated on the receipt - November 25, 1988. This date, however, is outside the requisite period.

- A copy of a Federal Express money order, dated February 10, 1983. This document identifies the payee as Sears Store. The copy also specifies the payer as the applicant and her address as "[REDACTED] [sic], Glenview, Illinois, 60008." The AAO finds that the authenticity of this document is questionable, as it attributes to the applicant an address that her Form I-687 states she attained years later - in October 1987. Also, in contrast to the money-order copy, the applicant's Form I-687 identifies the applicant's address in February 1983, the time of the money order, as being "[REDACTED] Rolling Meadow, Illinois. Further, as earlier noted in this decision, lesser weight will be given to copies of documents. For these reasons, the AAO attributes little evidentiary weight to this document.

The AAO has reviewed the June 16, 2003 affidavit submitted by [REDACTED] that declared that she knew the applicant since Christmas 1981 when they met at a social event at the Saint Colette Church in Rolling Meadows and that she and the applicant now work together and have become closer friends. The AAO also takes note of the CIS officer's record of a phone call to [REDACTED] and [REDACTED]'s response that she met the applicant in 1996 or 1998. Also, the AAO acknowledges the June 3, 2005 affidavit signed by [REDACTED] and submitted on appeal, wherein [REDACTED] indicates that she told the CIS officer that she could not remember the exact day she met the applicant so just indicated she met the applicant a long time ago. The AAO does not find the June 3, 2005 affidavit sufficient to overcome the affiant's testimony to the CIS officer, which indicates that [REDACTED]'s June 16, 2003 affidavit is not accurate with regard to when [REDACTED] first met and began her association with the applicant. In addition, the affiant does not provide any substantive details of the events and circumstances surrounding the initial relationship and subsequent interaction between the affiant and the applicant sufficient to establish the applicant's continuous presence in the United States for the requisite periods. For these reasons, the AAO accords little evidentiary weight to the information provided by [REDACTED] about the applicant's presence in the United States, and the AAO finds that this information is not probative evidence of the applicant's residence in the United States during the requisite period.

Two letters were submitted from [REDACTED], President of LaSiesta Corporation, dated June 12, 2003 and June 10, 2005. Neither alone nor in combination do they provide sufficient corroborative information to demonstrate the reliability of their assertions about [REDACTED]'s contact with the applicant. The only information about contact with the applicant that is presented in the first letter is:

Please be advised that I have known [the applicant] since 1981. She was introduced to me by her brother, [REDACTED], who is our head cook.

The body of the second letter reads as follows:

As we indicate on 6/12/2003 (See enclosed copy of 6/12/2003 letter, we first met [the applicant] in September or October of 1981. Her brother, who is our head cook[,] introduced her as a candidate for employment at another location we owned at the time. She was not hired because she did not have appropriate documentation. Furthermore, the location was sold as of November, 2001, and we had no interest in hiring additional personnel.

In neither of the letters does the author state how he recalls that the first asserted contact was “in September or October of 1981.” Therefore, the letters do not provide a factual basis for ascertaining the truth of the matters that they assert. Likewise, the first letter’s two brief sentences that comprise its statement about Mr. [REDACTED] contact with the applicant do not provide any information about the applicant, her activities, her addresses, other employment, or any other aspect of the applicant’s life that would demonstrate continuing contact with the applicant during the requisite period. For the aforesaid reasons, the AAO finds no probative value in [REDACTED]’s letters.

The record also contains the originals and translations of two letters from an individual, [REDACTED] of the First Congregational Church. A letter dated January 5, 1982, translated from Spanish, and identifying [REDACTED] as Reverend Doctor, is addressed to the applicant at [REDACTED], Glenview, Illinois. This letter thanks the applicant for her presence at the services at the end of the year and New Year 1982, notifies her of the schedule of regular services, invites her to all of the church activities, welcomes her as someone “new in the city [(Chicago)],” and sends greetings to the applicant’s “brother Ascension.” A second letter dated April 10, 1982, also translated from Spanish, identifies the same writer as Director of Spanish Programs and is also addressed to the applicant at [REDACTED] Glenview, Illinois. This letter thanks the applicant for her help “in the Health Festival that Casa Central held as one of our programs,” and it expresses encouragement at the sight of young persons helping in an endeavor that helps “our entire community.” These letters are some evidence of the applicant’s presence in the Chicago area at the times referenced in the letters. The weight of these two letters as evidence of residence is minimized by the fact that, although dated 1982, the letter bears a mailing address that the applicant’s Form I-687 ascribes to no period before October 1987.

The AAO will here summarize a series of material discrepancies between the addresses provided by the applicant on her Form I-687, on the one hand, and the information as to her addresses that appear on documents that the applicant has submitted in support of her application. These discrepancies raise material doubts about the credibility of the information submitted in support of the application.

According to the Form I-687, the applicant’s address from February 1981 to March 1985 was [REDACTED] Rolling Meadows, Illinois. However, a Dryer Avenue address appears on none of the documentation that bears the applicant’s address for any portion of the period from February 1981 to March 1985. For instance, a different address appears on the letters from the First Congregational Church; the copy of the money order; the RCFCU letters; the Form 1099 from Quantum Cargo Services; the W-2 Forms from Unique Boxes; and the ACI employment letter.

According to the Form I-687, the applicant’s address from March 1985 to October 1987 was [REDACTED] Rolling Meadows. The AAO also notes that the 1986 and 1987 Wage and Tax Statements from Sybaris bear

the Algonquin address. However, the ACI letter ascribes the Algonquin address to a different period than does the Form I-687, namely, February 1982 to March 1985. Other documents with dates related to the employment period cited by ACI (February 1982 to March 1985), such as those from Universal Data Machines, Quantum Cargo Services, and United Boxes, indicate a different address for the applicant and also employers other than ACI.

The Form I-687 lists [REDACTED], Glenview, Illinois as the applicant's address from October 1987 until the filing of the Form I-687, in May 1988. In material contrast, the copy of the money order and the documents submitted from the following sources ascribe this address to earlier periods: RCFCU; the First Congregational Church; Universal Data Machines, Quantum Cargo Services, and United Boxes.

The inconsistencies cited by the AAO here and elsewhere in this decision are obvious, material, and not resolved by any of the evidence in the record of proceedings. These inconsistencies undermine the credibility of the relevant portions of the Form I-687 and also the supporting documentation that bear the inconsistencies. It is incumbent upon the applicant to resolve any inconsistencies in the record by independent objective evidence. Any attempt to explain or reconcile such inconsistencies will not suffice unless the applicant submits competent objective evidence pointing to where the truth lies. See *Matter of Ho*, 19 I&N Dec. 582, 591-92.

The issue in this proceeding is whether the applicant has furnished sufficient credible evidence to demonstrate that she continuously resided in the United States in an unlawful status beginning prior to January 1, 1982, through May 4, 1988. Except for that portion of the requisite period extending from February 25, 1985 to May 4, 1988, the applicant has submitted documents that are inconsistent with each other and the Form I-687. Further, the witnesses stating knowledge of the applicant's presence in the United States are materially deficient for the reasons stated in this decision. As stated previously, the evidence must be evaluated not by the quantity of evidence alone but by its quality. Pursuant to 8 C.F.R. § 245a.12(e) the inference to be drawn from the documentation provided shall depend on the extent of the documentation, its credibility, and amenability to verification. Upon examination of each piece of evidence for relevance, both individually and within the context of the totality of the evidence, the AAO finds that the record of proceedings lacks sufficient credible and probative evidence to establish, by a preponderance of the evidence, that the applicant was residing continuously in the United States for the portion of the requisite period prior to February 1985. Therefore, it is concluded that the applicant has failed to establish continuous residence in an unlawful status in the United States from prior to January 1, 1982, through May 4, 1988.

Therefore, based on the above, the applicant has failed to establish entry into the United States prior to January 1, 1982, and continuous unlawful residence to May 4, 1988, as required under Section 1104(c)(2)(B) of the LIFE Act. Given this, she is ineligible for permanent resident status under Section 1104 of the LIFE Act.

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