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**U.S. Department of Homeland Security
U.S. Citizenship and Immigration Services
Office of Administrative Appeals MS 2090
Washington, DC 20529-2090**

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

FILE:

Office: NEW YORK

Date:

MSC-02-144-61520

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SEP 09 2009

IN RE:

Applicant:

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.


John F. Grissom
Acting Chief, Administrative Appeals Office

DISCUSSION: The application for permanent resident status under the Legal Immigration Family Equity (LIFE) Act was denied by the Director, New York, New York 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 had failed to establish residence in the United States in an unlawful status from January 1, 1982 through May 4, 1988 as required by section 1104(c)(2)(B) of the LIFE Act.

Specifically, the director noted that the applicant submitted affidavits which indicate that the applicant entered the United States in 1982 and which contain insufficient detail to be considered probative. Noting the paucity of credible evidence in the record which would establish the applicant's eligibility for the benefit sought, the director denied the application on March 17, 2006.

On appeal, the applicant indicates, through counsel, "The Service claims that the evidence is not credible evidence in support of this claim, what do you want? This is all our client could produce. There are no more documents that [REDACTED] could send to you at this time. Please accept the affidavits and documents submitted on behalf of our client's case and honor their validity. [REDACTED] complied with the current regulations and he has submitted enough documents in good faith. Your compassion and personal consideration on the present case is appreciated." The applicant fails to submit any additional evidence or explanation which would establish his entry to the United States in an unlawful status prior to January 1, 1982 or his continuous residence in the United States for the duration of the requisite period.

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. The appeal must therefore be summarily dismissed.

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