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U.S. Citizenship
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Services

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FILE:

MSC 01 345 62700

Office: HOUSTON

Date:

OCT 01 2007

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. All documents have been returned to the office that originally decided your case. If your appeal was sustained, or if your case 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, Houston, Texas, and is now before the Administrative Appeals Office (AAO) on appeal. The appeal will be summarily dismissed.

The district director denied the application on March 21, 2005, because the applicant failed to respond to the Notice of Intent to Deny dated January 24, 2005, within the 30-day response period.

On appeal, the applicant stated that his former attorney failed to advise him that he needed to respond to the notice of intent to deny within the 30-day response period. The applicant indicated that he would submit a statement and/or additional evidence within 30 days of the filing date of the appeal. On May 26, 2005, the applicant requested an extension of time until June 14, 2005, in order to submit a brief and/or additional evidence to supplement his appeal. To date, one year and two months after the filing date of the appeal, the applicant has not submitted a statement or any additional evidence to overcome the basis for denial of the application.

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 district 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.