

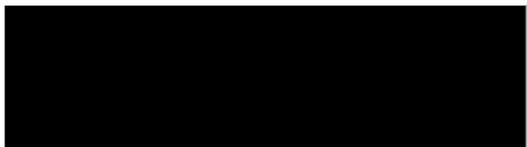
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U.S. Citizenship
and Immigration
Services

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FILE:

MSC 02 101 61483

Office: LOS ANGELES

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 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, Los Angeles, California, and is now before the Administrative Appeals Office (AAO) on appeal. The appeal will be rejected.

The district director denied the application because the applicant had not demonstrated that she had continuously resided in the United States in an unlawful status from before January 1, 1982 through May 4, 1988. Section 1104(c)(2)(B) of the LIFE Act; 8 C.F.R. § 245a.11(b).

On appeal, the applicant stated that she was "never aware of any interview and if any administrative decision was taken in this matter, it was done without the [applicant's] knowledge." The applicant submits a brief in support of the appeal.

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 October 22, 2004 to the applicant at her address of record in the United States. Citizenship and Immigration Services (CIS) received the appeal on February 14, 2006, more than 15 months after the director issued her decision. Therefore, the appeal was untimely filed.

The applicant alleges that she filed a change of address with CIS. In response to a query by the applicant, the director responded in a letter dated November 1, 2005, that although the applicant did file a change of address, the change was not received in the district office until May 3, 2005, months after the application was denied. The applicant did not rebut this statement on appeal.

ORDER: The appeal is rejected as untimely filed.