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**U.S. Citizenship  
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FILE:

MSC 02 248 65325

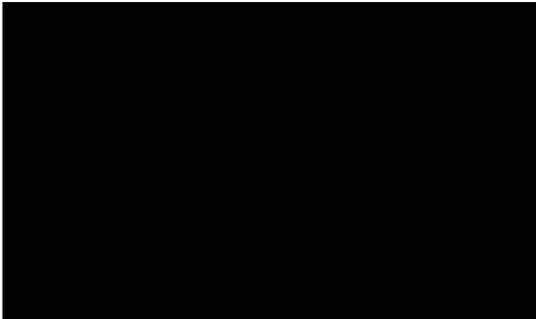
Office: LOS ANGELES

Date:

**OCT 29 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-REPRESENTATIVE

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.

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 dismissed.

The district director determined that the applicant had been convicted of three or more misdemeanors and therefore, pursuant to 8 C.F.R. § 245a.18(a), was inadmissible to the United States. Accordingly, the director denied the application for adjustment of status as a permanent resident.

On appeal, the applicant states that all of his convictions "have been covered," that he has paid all of the fines, has attended all of the classes, and satisfied all of the other requirements of the court. The applicant submits a letter and copies of previously submitted documentation in support of the appeal, including a Form I-690, Application for Waiver of Grounds of Inadmissibility.

The record reflects that the applicant was convicted on July 13, 1987 of possession with the intent to sell a controlled substance (cocaine) in violation of California Health and Safety Code 11351 (case number [REDACTED]). He was sentenced to 66 days in jail and three years probation. On the same date, the applicant was also convicted of possession of narcotics with the intent to sale (heroin) and possession of narcotics (cocaine), in violation of California Health and Safety Code 11350 (case number [REDACTED]). He was sentenced to 177 days in jail and placed on three years probation. On February 6, 1990, the applicant was convicted of possession of heroin (case number [REDACTED]). He was sentenced to one year and four months in the California Institution for Men - Chino.

According to the evidence in the record, the applicant was convicted on August 10, 1990 of knowingly, willfully and unlawfully entered the United States in violation of Title 8 U.S.C. § 1325, a misdemeanor. He was ordered deported on September 28, 1990.

Pursuant to section 212(a)(2)(A) of the Immigration and Nationality Act and 8 C.F.R. § 245a.18(c)(2), the applicant's convictions of these felony drug offenses may not be waived. Accordingly, as the applicant has been convicted of three felonies involving controlled substances, he 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.