

identifying data deleted to
prevent clearly unwarranted
invasion of personal privacy

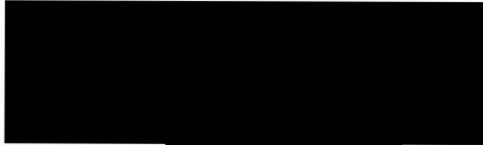
U.S. Department of Homeland Security
20 Mass. Ave., N.W., Rm. 3000
Washington, DC 20529



U.S. Citizenship
and Immigration
Services

PUBLIC COPY

L2



FILE:

MSC 03 251 63738

Office: NEW YORK

Date:

SEP 09 2008

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. 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.

A handwritten signature in black ink, appearing to read "R. P. Wiemann".

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, New York, and is now before the Administrative Appeals Office (AAO) on appeal. The appeal will be summarily dismissed.

The director denied the application because the applicant had failed to establish that he satisfied the “basic citizenship skills” required under section 1104(c)(2)(E) of the LIFE Act.

On appeal, the applicant requests another opportunity to pass the English and U.S. history and government test. He contends that the interview was unfair because it was too short and he was not given adequate time to respond to the questions.

As stated in 8 C.F.R. § 103.3(a)(3)(iv), any appeal that fails to state the reason for appeal, or is patently frivolous, will be summarily dismissed.

According to the evidence in the record, the applicant was given two opportunities to establish he satisfied the basic citizenship skills requirements, but he failed on both occasions. The record indicates that at both interviews the application did not understand the questions and, therefore, could not provide any answers during the interview. There is no provision in the law to grant the applicant additional opportunities.

A review of the decision reveals that 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 specifically addressed the basis for denial. Specifically, he has failed to provide evidence that he satisfied the “basic citizenship skills” requirement under Section 1104(a)(2)(E) of the LIFE Act. The appeal must therefore be summarily dismissed.**

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