



U.S. Citizenship
and Immigration
Services

L2

FILE: [REDACTED]
MSC 02 058 61760

Office: NEW YORK

Date: **MAR 03 2009**

IN RE: Applicant: [REDACTED]

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. The file has been returned to the National Benefits Center. 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.

A handwritten signature in black ink, appearing to read "J. Grissom".

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 director determined that the applicant had not established that she resided in the United States in a continuous unlawful status from before January 1, 1982 through May 4, 1988, as required by section 1104(c)(2)(B) of the LIFE Act. The director noted that the applicant failed to respond to a December 20, 2007 notice of intent to deny (NOID). In the NOID the director noted that the applicant indicated that since her claimed entry in October 1981, she had departed the United States once, for Paraguay, on December 5, 1987, and returned to the United States on January 10, 1987. However, the record reflects that the applicant was married in San Lorenzo, Paraguay, on May 12, 1984. The director determined, therefore, that the applicant cannot establish the requisite continuous residence as it cannot be determined how long she had been in Paraguay in 1984.

On appeal, the applicant states that she did submit additional information in response to the NOID, and, she requests review of her record. The applicant does not submit any additional evidence on appeal.

Any appeal that fails to state the reason for appeal, or is patently frivolous, will be summarily dismissed. 8 C.F.R. § 103.3(a)(3)(iv). 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 and has not addressed the basis for denial. The applicant states only that she responded to the NOID, but she does not indicate the content of her response, nor does she provide a copy of her response and/or any supporting documentation. It is also noted that the record does not reflect that the applicant submitted a response to the December 20, 2007 NOID, nor did she submit additional evidence in response to the NOID. The appeal must, therefore, be summarily dismissed.

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