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U.S. Citizenship
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Services

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FILE:

MSC 01 335 60651

Office: NEWARK

Date:

OCT 01 2009

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.


Perry Rhew
Chief, Administrative Appeals Office

DISCUSSION: The application for permanent resident status under the Legal Immigration Family Equity (LIFE) Act was denied by the Director, Garden City, NY, and is now before the Administrative Appeals Office (AAO) on appeal. The appeal will be 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. Specifically, the director noted that the applicant was granted two interviews to support his claim, but that the applicant failed a civics examination at each interview. The applicant was notified of the United States Citizenship and Immigration Services (USCIS) intent to deny his application on August 11, 2005. The applicant failed to submit additional evidence in response to the director's Notice Of Intent To Deny (NOID) and did not overcome the reasons set forth for denial in the NOID.

On appeal, the applicant does not submit a brief or additional evidence, but states that if given another opportunity he will "pass the History and English test." The applicant states that he felt confused and humiliated in the presence of five people present for his interview. The director noted in her decision denying the applicant's claim that only one officer conducted the applicant's interview, but that other officers were present to observe the interview for training purposes.

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.

A review of the decision reveals that the director accurately set forth a legitimate basis for denial of the application. The applicant did not specifically address the basis of the director's denial nor did he present additional evidence in support of the appeal. The appeal must therefore be summarily dismissed.

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