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U.S. Department of Homeland Security
U.S. Citizenship and Immigration Services
Office of Administrative Appeals MS 2090
Washington, DC 20529-2090



U.S. Citizenship
and Immigration
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FILE: [REDACTED]
MSC-01-335-61312

Office: NEW YORK

Date: SEP 29 2010

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:

[REDACTED]

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

The district director denied the application because the applicant had failed to establish residence in the United States in an unlawful status from January 1, 1982 through May 4, 1988 as required by section 1104(c)(2)(B) of the LIFE Act. The director found that the applicant had not established by a preponderance of the evidence that he had continuously resided in the United States in an unlawful status for the duration of the requisite period.

Specifically, the director noted that the applicant submitted a copy of his passport [REDACTED] with his Adjustment of Status application. The passport indicates, contrary to the applicant's testimony, that he was issued his passport in India in September 1981 and that he renewed it in India in August 1986. The director further noted that the passport contains several entry stamps and visas indicating that the applicant resided in Norway beginning in 1986. This is inconsistent with the applicant's testimony that he entered the United States in 1980 and resided continuously in the United States throughout the relevant period. The director denied the application on May 6, 2004.

On appeal, the applicant indicates that he has submitted all of the evidence that he has and that he submitted evidence in response to the Notice of Intent to Deny (NOID) issued on February 6, 2004. Despite the applicant's statement on appeal, the record contains no response to the NOID. The applicant also fails to provide any additional evidence or explanation which would resolve the inconsistencies with his testimony or which supports his entry to the United States in an unlawful status prior to January 1, 1982 or his continuous residence in the United States for the duration of the requisite period.

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

A review of the decision reveals 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 addressed the grounds stated for denial. The appeal must therefore be summarily dismissed.

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