



U.S. Citizenship
and Immigration
Services

(b)(6)

[Redacted]

Date: **JAN 16 2013**

Office: HOUSTON

FILE: [Redacted]

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.

Ron Rosenberg
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 of the Houston office and is now before the Administrative Appeals Office (AAO) on appeal. The appeal will be dismissed.

The director denied the application, finding that the applicant was statutorily ineligible to adjust status under the provisions of the LIFE Act, because he failed to establish that he satisfied the "basic citizenship skills" required under section 1104(c)(2)(E) of the LIFE Act. The AAO remanded the matter to the director for further action and consideration. The director issued a notice of intent to deny (NOID) the application, but the applicant failed to submit a rebuttal. On March 26, 2008, the director of the Houston field office issued a new decision in which she denied the application, finding that the applicant is ineligible for adjustment to permanent resident status under the LIFE Act because he failed to establish that he satisfied the "basic citizenship skills" requirement. The director did not certify her decision to the AAO pursuant to the regulation at 8 C.F.R. § 103.4, as requested. On October 24, 2012, the AAO issued a notice of certification to the applicant and counsel, and afforded the applicant an opportunity to submit a brief within 30 days, in response to the March 26, 2008 decision of the director. Counsel requested a 30 day extension, which was granted. Nothing more has been submitted for the record.

The AAO has reviewed all of the evidence, and has made a *de novo* decision based on the record and the AAO's assessment of the credibility, relevance and probative value of the evidence.¹

The AAO agrees with the director that the applicant has not satisfied the "basic citizenship skills" required under section 1104(c)(2)(E) of the LIFE Act, and it will not disturb the director's decision that the applicant is ineligible for adjustment to permanent resident status under section 1104 of the LIFE Act on this basis.

The applicant failed to respond to the notice of certification of the director's decision. 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 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 appeal must therefore be summarily dismissed.

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

¹ The AAO conducts appellate review on a *de novo* basis. The AAO's *de novo* authority is well recognized by the federal courts. See *Soltane v. DOJ*, 381 F.3d 143, 145 (3d Cir. 2004).