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U.S. Department of Homeland Security  
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Washington, DC 20529



U.S. Citizenship  
and Immigration  
Services

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FILE:



Office: Seattle

Date: MAR 07 2005

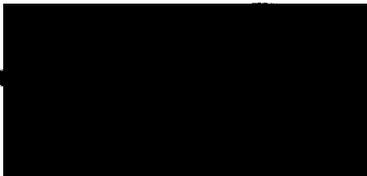
IN RE:

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:



INSTRUCTIONS:

This is the decision of the Administrative Appeals Office in your case. The file has been returned to the office that originally decided your case. 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.

Robert P. Wiemann, Director  
Administrative Appeals Office

**DISCUSSION:** The application for permanent resident status under the Legal Immigration Family Equity (LIFE) Act was denied by the District Director, Seattle, Washington, and is now before the Administrative Appeals Office on appeal. The appeal will be dismissed.

The director noted that the affiant evidence forwarded by the applicant was generic and unspecific and found that no verifiable evidence was given to support the affiants' ability to give credible testimony in the applicant's behalf. The director further noted that the applicant had only recorded one trip abroad on his Application for Status as a Temporary Resident, Form I-687. The director determined that although the applicant claimed to be undocumented in the United States between the years of 1981 and 1988, he referred to crossing in and out of Mexico with the casualness of a person who is fully documented as he referred to going to Mexico on several occasions to relax. The director denied the application because the applicant had not demonstrated that he had continuously resided in the United States in an unlawful status since before January 1, 1982 through May 4, 1988.

On appeal, the applicant states that the "BCIS" erred as a matter of law and abused its discretion in denying his application and applied an overly strict requirement in the manner of weighing/considering supporting materials. The applicant asserts that materials submitted in support of his application were not considered in denying his application, most likely because the Service lost or misfiled them. The applicant forwards a copy of a postal receipt to show that materials were timely sent in response to the director's June 21, 2003 Notice of Intent to Deny. The applicant requests that his entire file be reviewed and asserts that he has submitted more than enough evidence to support his application.

As no additional information has been provided in support of the appeal, the record must be considered complete.

An applicant for permanent resident status under the LIFE Act must establish that before October 1, 2000, he or she filed a written claim with the Attorney General for class membership in any of the following legalization class-action lawsuits: *Catholic Social Services, Inc. v. Meese*, vacated sub nom. *Reno v. Catholic Social Services, Inc.*, 509 U.S. 43 (1993)(CSS), *League of United Latin American Citizens v. INS*, vacated sub nom. *Reno v. Catholic Social Services, Inc.*, 509 U.S. 43 (1993)(LULAC), or *Zambrano v. INS*, vacated sub nom. *Immigration and Naturalization Service v. Zambrano*, 509 U.S. 918 (1993)(Zambrano). See 8 C.F.R. § 245a.10. Additionally, section 1104(c)(2)(B)(i) of the LIFE Act requires the applicant establish entry to the United States before January 1, 1982, and continuous unlawful residence in this country through May 4, 1988.

The regulations at 8 C.F.R. § 103.3(a)(3)(iv) state that any appeal that fails to state the reason for the appeal or is patently frivolous will be summarily dismissed. The applicant has failed to address the reasons stated for denial and has not provided any additional evidence on appeal. The appeal must therefore be summarily dismissed.

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