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U.S. Department of Homeland Security
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U.S. Citizenship
and Immigration
Services

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FILE:

MSC 03 249 63336

Office: NATIONAL BENEFITS CENTER

Date: DEC 21 2006

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. All documents have 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, Chief
Administrative Appeals Office

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

The director concluded the applicant had not established that he had applied for class membership in any of the requisite legalization class-action lawsuits prior to October 1, 2000 and, therefore, denied the application.

On appeal, the applicant references the letter he submitted in response to the director's Notice of Intent to Deny (NOID) that states that he merely needs more time to submit evidence that he applied for class membership. The applicant has submitted no additional evidence on appeal.

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. 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.

A review of the record indicates that the applicant filed Form I-687, Application for Status as a Temporary Resident on April 28, 1988. The application was accepted by the former Immigration & Naturalization Service (INS) and the applicant was scheduled for an interview. Although the record indicates that the application was then denied, it also shows that the matter was reopened and the final decision was "held in abeyance until the court case of Ayuda v. Meese is completed." The INS later sent a Notice of Intent to Deny was to the applicant, but no final decision was issued to the applicant prior to the date on which the applicant filed the present application and appeal. The record shows, however, that the CIS has now adjudicated the applicant's Form I-687 legalization application and granted the applicant temporary resident status on October 16, 2006.

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