



U.S. Citizenship
and Immigration
Services

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[Redacted]

FILE:

[Redacted]

Office: PROVIDENCE

Date:

OCT 26 2007

MSC 02 164 60604

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. 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 Officer in Charge, Providence, Rhode Island, and is now before the Administrative Appeals Office (AAO) on appeal. The appeal will be dismissed.

The officer in charge concluded that the applicant had not established that he resided in the United States in a continuous unlawful status from before January 1, 1982 through May 4, 1988, as required by section 1104(c)(2)(B) of the LIFE Act, and therefore, denied the application.

On appeal, prior counsel asserts that the denial was arbitrary and capricious and states that a brief will be submitted within 30 days of filing the Form I-290B. At the time of review of the applicant's record of proceeding, the AAO noticed that an appeal brief had not been submitted as indicated by the applicant's prior counsel. It is noted that the AAO acknowledges the applicant's change in counsel. As such, a facsimile was sent to the applicant's current counsel apprising him of the prior counsel's purported intent to submit an appellate brief. Current counsel was provided an opportunity to resubmit an appellate brief if one had been previously submitted. To date, however, counsel has provided no further evidence or information addressing the grounds for denial of the application for permanent resident status.

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.