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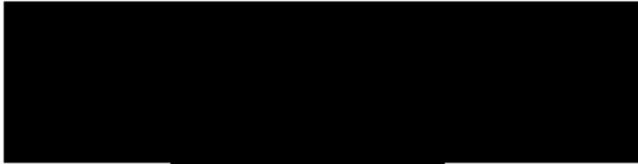
U.S. Department of Homeland Security
20 Mass. Ave., N.W., Rm. 3000
Washington, DC 20529-2090



U.S. Citizenship
and Immigration
Services

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FILE: [REDACTED]
MSC 02 109 61785

Office: NEW YORK

Date: DEC 31 2008

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:

SELF-REPRESENTED

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 your case 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.

John F. Grissom, Acting Chief
Administrative Appeals Office

DISCUSSION: On November 1, 2007, the Director, New York, denied the application for permanent resident status under the Legal Immigration Family Equity (LIFE) Act. The matter is now on appeal before the Administrative Appeals Office (AAO). The appeal will be dismissed.

The director denied the application, finding 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. The director asserted that to support his claim of residency, the only documentation the applicant submitted was affidavits that did not appear credible or amenable to verification. The director noted that none of the affiants appeared to have direct personal knowledge of the circumstances of the applicant's residence. The director further noted that U.S. Citizenship and Immigration Services (USCIS) records showed that the applicant entered the United States as a B-1 visitor on April 7, 1990, and that the applicant denied making such entry at his interview, but did not adequately explain the inconsistency.

The applicant filed Form I-290B, Notice of Appeal to the AAO, on November 21, 2007. In Part 2 of the form, information about the appeal or motion, the applicant checked the box marked "I am filing an appeal. No supplemental brief and/or evidence will be submitted." As of the date of this decision, the AAO has received no additional evidence or brief. As such, the record will be deemed complete. In Part 3 of the form, basis for the appeal or motion, the applicant stated:

On January 17, 2002, I filed an application under the Legal Immigration Family Equity (LIFE) Act. Section 1104 of the LIFE Act and its Amendments provide for the legalization of the class members of the Lulac/CSS/Action lawsuits. I am a legitimate class member of the Lulac/CSS. I have been in this country since 1981 and have been living and residing in an unlawful manner during the requisite periods. I entered the United States in 1981 without inspection the first time. I submitted along with my application affidavits with acquaintances who known me living and residing here during the statutory periods. Therefore, I am still eligible for the granting.

The applicant did not allege any legal or factual error in the director's decision and did not submit additional documents.

Any appeal that fails to state the reason for appeal will be summarily dismissed. 8 C.F.R. § 103.3(a)(3)(iv). A review of the decision reveals that the director accurately set forth a legitimate basis for denial of the application. On appeal, the applicant has not presented additional evidence or brief 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.