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**U.S. Citizenship
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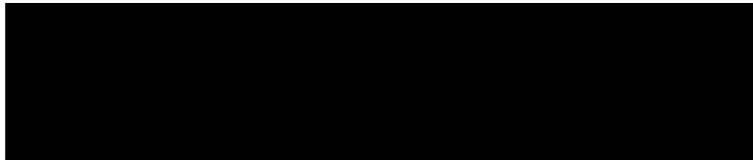
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FILE: 
MSC-02-106-64891

Office: HOUSTON, TX

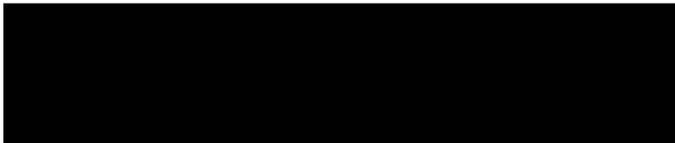
Date: **JAN 02 2008**

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 National Benefits Center. 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.

A handwritten signature in black ink, appearing to read "R. Wiemann".

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 Director, Houston, and is that decision is now before the Administrative Appeals Office (AAO) on appeal. The appeal will be dismissed.

The regulation at 8 C.F.R. § 245a.12(e) states that applicants for adjustment of status to that of a Legal Permanent Resident under this section bear the burden of establishing that they have resided continuously in the United States for the duration of the requisite period by a preponderance of the evidence.

The director concluded the applicant had not established that she had maintained continuous residence in the United States for the requisite period. In saying this, the director noted in her Notice of Intent to Deny (NOID) that at the time of the applicant's interview pursuant to her application for Permanent Resident Status, she stated that she first entered the United States in December 1979 and was not absent from that time until September 2004. However, the director noted that the applicant's Form I-687 in the record indicated that the applicant was absent from the United States in November 1987, casting doubt on whether the applicant represented her absences accurately at the time of her interview with the Citizenship and Immigration Services (CIS) officer. The director went on to say that she found that the applicant did not submit documents in support of her application that were sufficient to establish that she continuously resided in the United States for the duration of the requisite period. The director granted the applicant thirty (30) days within which to submit additional evidence in support of her application. As the applicant did not submit additional evidence in support of her application in response to the director's NOID, the director found she had not overcome her reasons for denial. Therefore, she denied the application.

On appeal, the applicant states that the director should have accepted her previously submitted statements in support of her claim of having maintained continuous presence in the United States during the requisite period. She goes on to say that she stated on her application that she departed before the original legalization filing period. The applicant provided no additional evidence or explanation to overcome the reasons for denial of her application

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.

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