



U.S. Citizenship
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Services

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FILE: [REDACTED]
MSC 02 211 63960

Office: NEW YORK

Date: JUL 03 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:

[REDACTED]

INSTRUCTIONS:

This is the decision of the Administrative Appeals Office in your case. If your appeal was dismissed or rejected, all documents have been returned to the National Benefits Center. 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. If your appeal was sustained or remanded for further action, you will be contacted.

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 District Director, New York, New York, and is now before the Administrative Appeals Office on appeal. The appeal will be summarily dismissed.

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. Section 1104(c)(2)(B) of the LIFE Act; 8 C.F.R. § 245a.11(b).

On appeal, counsel states that the applicant has submitted every document at his disposal, and that, as the director's Notice of Decision failed to answer applicant's "well-founded questions" submitted in response to the Notice of Intent to Deny (NOID), the director's denial "rests on faulty bases."

In her NOID dated July 19, 2006, the director notified the applicant that contradictions in documentation that he submitted cast doubt on his claim that he entered the United States prior to January 1, 1982, and resided continuously through May 4, 1988. The director also notified the applicant that the district office could not verify information provided in supporting statements because the affiants could not be contacted. In his letter responding to the NOID, counsel surmised that the applicant's contradictory testimony during his adjustment interview was the result of cultural differences and questioned whether the applicant was notified of the discrepancies during the interview and "given an opportunity to try to clear up the discrepancies in writing." Counsel did not address the proposed grounds for denial as set forth in the NOID and the applicant submitted no other documentation in response to the NOID. Counsel renews his arguments on appeal, and the applicant again submits no additional documentation to address the reasons for the director's denial.

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.