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U.S. Citizenship  
and Immigration  
Services

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[REDACTED]

FILE:

[REDACTED]

Office: CHICAGO

Date:

JUL 03 2008

MSC 02 236 63768

IN RE:

Applicant:

[REDACTED]

PETITION:

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 PETITIONER:

[REDACTED]

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.

for 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, Chicago, Illinois, and is now before the Administrative Appeals Office (AAO) on appeal. The appeal will be summarily dismissed.

An applicant for permanent resident status under section 1104 of the LIFE Act has the burden to establish by a preponderance of the evidence that he or she has resided in the United States for the requisite periods, is admissible to the United States and is otherwise eligible for adjustment of status under this section. The inference to be drawn from the documentation provided shall depend on the extent of the documentation, its credibility and amenability to verification. 8 C.F.R. § 245a.12(e).

The applicant submitted insufficient evidence to credibly document his continuous residence in an unlawful status and his continuous presence in the United States during the relevant period. Specifically, the district director found that the evidence submitted in support of the application was insufficient to establish that he had entered the United States prior to January 1, 1982 and continuously resided in the United States in an unlawful status through May 4, 1988.

Consequently, the district director issued a Notice of Intent to Deny (NOID) the application on March 27, 2006, and afforded the applicant 30 days in which to submit additional documentation. The record reflects that the applicant failed to respond to the NOID.

The district director determined that the applicant had failed to overcome the basis for the intended denial, and a formal denial decision was issued on June 14, 2006.

On appeal, counsel for the applicant submitted a brief statement asserting that the applicant "is eligible to adjust status under the LIFE Act." Counsel indicated on appeal that he needed 90 days to submit a brief and/or evidence to the AAO. On May 13, 2008, the AAO forwarded a facsimile transmission to counsel, requesting a copy of the additional evidence and/or brief in support of the appeal be submitted within 10 days. Counsel failed to respond to the message.

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. Counsel's general statement on the Form I-290B, without specifically identifying any errors on the part of the district director, is simply insufficient to overcome the well-founded and logical conclusions the district director reached based on the evidence submitted by the applicant.

The applicant, through counsel, has failed to address the reasons stated for denial and has not provided any additional evidence and/or brief on appeal. The appeal must therefore be summarily dismissed.

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