



U.S. Citizenship  
and Immigration  
Services

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FILE:

MSC 02-150-60138

Office: NEW YORK

Date: JUL 15 2008

IN RE:

Applicant:

APPLICATION:

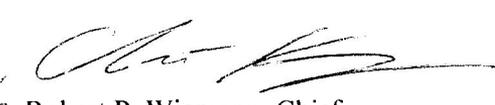
Application for Status as a Permanent Resident pursuant to Section 1104 of the Legal Immigration Family Equity (LIFE) Act of 2000, Pub. L. 106-553, 114 Stat. 2762 (2000), *amended by* LIFE Act Amendments, Pub. L. 106-554, 114 Stat. 2763 (2000).

ON BEHALF OF APPLICANT:

SELF-REPRESENTED

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. The decision is now before the Administrative Appeals Office (AAO) on appeal. The appeal will be summarily dismissed.

The applicant submitted a Form I-485, Application to Register Permanent Resident or Adjust Status, on February 26, 2002. On August 8, 2007, the director denied the application after determining that the applicant had failed to establish that he had satisfied the residence requirement under section 1104(c)(2)(B) of the LIFE Act. The director noted that the applicant had failed to respond to the Notice of Intent to Deny (NOID) dated June 23, 2007, and that therefore, the application was being denied based upon the reasons stated in the NOID. The director noted in the NOID that the affidavits submitted by the applicant were neither credible nor amenable to verification. The director also noted that there was no evidence on the part of the affiants to show that they had direct personal knowledge of the events and circumstances surrounding the applicant's residency. *The director determined that the other documentation submitted by the applicant was insufficient to establish his claimed residency in the United States during the requisite period.*

On the applicant's Form I-290B, Notice of Appeal to the AAO, filed on September 4, 2007, he asserts that he is a member of the Immigration Reform and Control Act (IRCA), and as such should be considered eligible for the benefit sought. The applicant did not allege any legal or factual error in the director's decision sufficient to overcome the denial, and he did not submit any additional evidence.

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 director's decision reveals that *the director accurately set forth a legitimate basis for denial of the application.* On appeal, the applicant has not presented any evidence and has not addressed the basis for the denial. The appeal must therefore be summarily dismissed.

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