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U.S. Citizenship
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Services

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FILE:

MSC 01-325-60673

Office: NEW YORK

Date:

JUL 22 2008

IN RE:

Applicant:

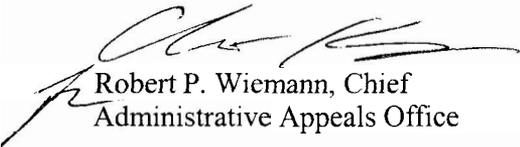
APPLICATION:

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. 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 August 21, 2001. On August 27, 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 submitted only one affidavit, which was later resubmitted by the same affiant with inconsistent information. The director also noted that the applicant had failed to address the inconsistencies and contradictions found in his statements and testimony.

On the applicant's Form I-290B, Notice of Appeal to the AAO, filed on September 27, 2007, counsel asserts that the applicant submitted credible evidence to verify his initial entry into the United States and his continuous residence from 1982 to 1988. Counsel did not address the inconsistencies noted in the director's decision and 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.