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U.S. Citizenship  
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FILE: [REDACTED]  
MSC 02 005 62495

Office: NEW YORK

Date: OCT 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 Director, New York, and is now before the Administrative Appeals Office (AAO) on appeal. The appeal will be summarily dismissed.

The director denied the application because the applicant had failed to establish that he satisfied the “basic citizenship skills” required under section 1104(c)(2)(E) of the LIFE Act.

On appeal, counsel contends that the applicant was mentally depressed at the time of his interview because he had lost his wife and children in a deadly car accident on June 3, 2002. Counsel asserts that the applicant was not able to concentrate properly due to the loss of his family members. Counsel also asserts that the applicant was enrolled in an English program and submits evidence. Counsel contends that the applicant should be given another opportunity for an interview.

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 decision reveals that the director accurately set forth a legitimate basis for denial of the application. According to the evidence in the record, the applicant was given two opportunities to establish he satisfied the basic citizenship skills requirements, but he failed on both occasions. The applicant failed to submit any evidence to satisfy the basic citizenship skills requirement prior to or at his second interview as required under the regulation at 8 C.F.R. § 245a.17(a)(3). There is no provision in the law to grant the applicant additional opportunities. The appeal must therefore be summarily dismissed.

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