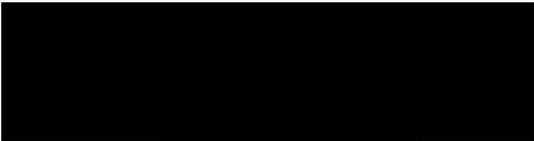




U.S. Citizenship
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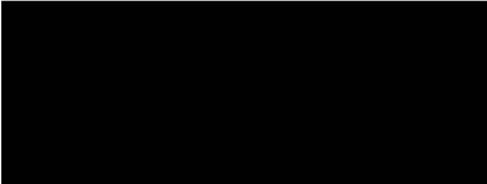


FILE: [REDACTED] Office: NEW YORK Date: DEC 03 2009
MSC 02 141 60125
MSC 08 150 21733-APPEAL

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:



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.

Perry Rhew
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. The decision is now before the Administrative Appeals Office on appeal. The appeal will be dismissed.

The director denied the application because the applicant did not establish that he continuously resided in the United States for the duration of the requisite period.

On appeal, counsel states:

USCIS committed an abuse of discretion and reversible error in denying the Appellant's Adjust of Status Application. Appellant submitted credible evidence to establish eligibility for LIFE Adjustment and even promptly responded to USCIS' Notice of Intent to Deny requesting additional evidence with compelling Affidavits and corroborative documentation. Our office is including our response to USCIS' initial Notice of Intent to Deny as well as other corroborative documentation with the instant appeal. USCIS irrationally denied the Appellant's LIFE Adjustment Application and their decision should therefore be reversed as a matter of law.

Counsel resubmits documentation already considered by the director.

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 the denial of the application. On appeal, the applicant has not addressed the grounds stated for denial, nor has he presented additional evidence. The appeal shall therefore be summarily dismissed.

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