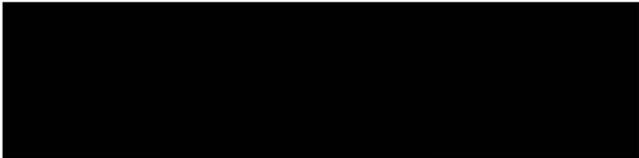


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FILE:



Office: NEW YORK

Date:

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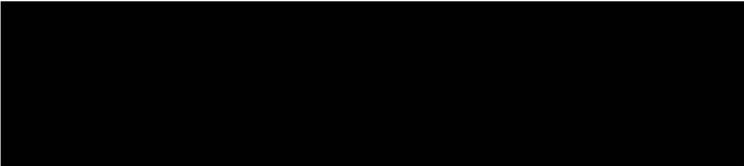
Applicant:



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. 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.

A handwritten signature in black ink, appearing to read "John F. Grissom".

John F. Grissom, Acting Chief
Administrative Appeals Office

DISCUSSION: The application for adjustment to permanent resident status under the Legal Immigration Family Equity (LIFE) Act was denied by the Director, New York, New York. It is now on appeal before the Administrative Appeals Office (AAO). The appeal will be dismissed.

To be eligible for adjustment to permanent resident status under the LIFE Act applicants must establish his or her continuous unlawful residence in the United States from before January 1, 1982 through May 4, 1988. See section 1104(c)(2)(B)(i) of the LIFE Act, 8 U.S.C. § 245A(a)(2)(A).

On July 31, 2007, the director denied the application because the applicant was born on April 11, 1990, and, therefore, cannot establish that he entered the United States before January 1, 1982, and resided continuously in the United States from then through May 4, 1988.

On appeal, counsel for the applicant submits a brief that fails to address the director's reason for denial of the applicant's case and is insufficient to overcome the well-founded and logical conclusions the director reached based on the evidence or record.

As stated in 8 C.F.R. § 103.3(a)(3)(iv), any appeal filed that fails to state the reason for appeal, or is patently frivolous, will be summarily dismissed. The applicant, through counsel, has failed to address the reasons stated for denial and is patently frivolous. Therefore, the appeal must be summarily dismissed.

As always in these proceedings, the burden of proof rests solely with the applicant. Section 291 of the Act, 8 U.S.C. § 1361.

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