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U.S. Department of Homeland Security
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U.S. Citizenship
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Services

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FILE:

MSC 01 354 61232

Office: PHOENIX

Date: FEB 10 2009

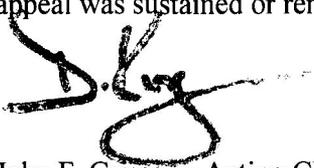
IN RE: Applicant:

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.


John F. Grissom, Acting Chief
Administrative Appeals Office

DISCUSSION: The application for permanent resident status under the Legal Immigration Family Equity (LIFE) Act was denied by the Director, Phoenix, and dismissed by the Administrative Appeals Office (AAO) on appeal. The motion to reopen will be rejected.

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 motion, counsel asserts that the applicant completed a total of 140 hours of instruction in both English and Citizenship in December 2007.¹ Counsel asserts that the applicant now satisfies the basic citizenship skills requirement under section 1104(c)(2)(E) of the LIFE Act.

Legalization and LIFE Act applicants do not have motion rights. 8 C.F.R. § 103.5(b). Accordingly, the AAO shall reject the motion.

ORDER: The director’s decision is affirmed. The motion to reopen is rejected.

¹ Pursuant to the regulations at 8 C.F.R. § 245a.17(a)(3), the applicant must submit such evidence prior to or at the time of his second interview, which was on September 3, 2003.