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U.S. Department of Homeland Security
20 Massachusetts Ave. NW, Rm. 3000
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U.S. Citizenship
and Immigration
Services

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FILE:

MSC 02 246 61580

Office: NEW YORK

Date:

FEB 26 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).

IN 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.

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

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, New York, 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 not demonstrated that she had continuously resided in the United States in an unlawful status from before January 1, 1982, through May 4, 1988.

On August 13, 2007, the director issued a Notice of Intent to Deny, which advised the applicant that she had failed to provide evidence of a valid entry into Mexico in 1981. The applicant was also advised that there were inconsistencies in her testimony and application. Specifically, at the time of her LIFE interview, the applicant indicated that she had not traveled outside of the United States since her arrival. However, the applicant claimed on her Form I-687 application an absence from October 1, 1987 to November 11, 1987 to her native country, Dominican Republic, but failed to provide documentation to corroborate this absence.

Although counsel provided a response, it did not address the director's findings outlined in the Notice of Intent to Deny .

On appeal, counsel does not address the basis for the denial of the applicant's application or provide any evidence to overcome the director's findings. Counsel submits the same arguments provided in the response to the Notice of Intent to Deny.

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 the director accurately set forth a legitimate basis for denial of the application. *On appeal, the applicant has not addressed the grounds stated for denial, nor has she presented additional evidence relevant to the grounds for denial or the stated reason for appeal.* The appeal must therefore be summarily dismissed.

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