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U.S. Citizenship  
and Immigration  
Services

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FILE:

MSC 02 176 63811

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).

ON BEHALF OF APPLICANT: SELF-REPRESENTED

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 "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. It is now on appeal before the Administrative Appeals Office (AAO). The appeal will be summarily dismissed.

An applicant for permanent resident status under section 1104 of the LIFE Act has the burden to establish by a preponderance of the evidence that he or she has resided in the United States for the requisite periods, is admissible to the United States and is otherwise eligible for adjustment of status under this section. The inference to be drawn from the documentation provided shall depend on the extent of the documentation, its credibility and amenability to verification. 8 C.F.R. § 245a.12(e).

The applicant filed a Form I-485, Application to Register Permanent Resident or Adjust Status, on March 25, 2002. The director denied the application on June 29, 2007.

On appeal, the applicant fails to provide a statement addressing the reasons for his appeal. In support of the appeal, the applicant provides photocopies of documentation regarding his presence in the United States in or after July 1985, his children's births in the United States after the requisite time period, and his spouse's United States passport.

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, has failed to address the reasons stated for denial and has not provided any new evidence to counter the director's well-founded reasons for denial of the application. The appeal must therefore 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.

It is noted that a fingerprint report from the Federal Bureau of Investigation (FBI) indicates that the applicant has been convicted of at least three misdemeanor offenses. In any future proceedings before United States Citizenship and Immigration Services (USCIS), the applicant must submit evidence of the final court dispositions of all charges against him.

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