



U.S. Citizenship
and Immigration
Services

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FILE:

Office: NEW YORK

Date:

MAR 04 2009

MSC 03 172 61602

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. 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, New York, New York, and is now before the Administrative Appeals Office on appeal. 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 director denied the application on August 25, 2007, on the basis that the applicant failed to establish by a preponderance of the evidence that she entered the United States before January 1, 1982, and resided in a continuous unlawful status from then through May 4, 1988. The applicant filed an appeal from the director's decision on September 19, 2007.

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's assertions on appeal that she has submitted sufficient documentation to support her claims and that the director should have accepted her explanations for deficiencies in the record are without basis. Without specifically identifying any errors on the part of the director, the applicant's assertions are insufficient to overcome the well-founded and logical conclusions the director reached based on the evidence submitted contained in the record.

The applicant has failed to address the reasons stated for denial and has not provided any new evidence on appeal. 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.

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