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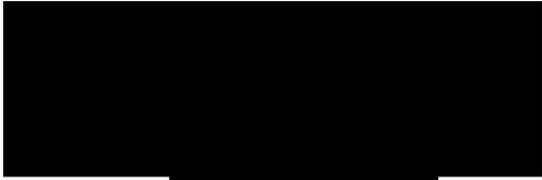
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U.S. Department of Homeland Security
U. S. Citizenship and Immigration Services
Office of Administrative Appeals MS 2090
Washington, DC 20529-2090



**U.S. Citizenship
and Immigration
Services**

L2



FILE:

MSC 02 245 61274

Office: LOS ANGELES

Date:

MAR 30 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. 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.

John F. Grisson, 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, Los Angeles, California, and is now before the Administrative Appeals Office (AAO) on appeal. The appeal will be dismissed.

The director determined that the applicant had not established that she resided in the United States in a continuous unlawful status from before January 1, 1982 through May 4, 1988, as required by section 1104(c)(2)(B) of the LIFE Act. The director noted that the applicant responded to a notice of intent to deny (NOID), but failed to overcome the reasons for denial stated in the NOID. It is noted that in the NOID the director stated that the applicant testified during her interview before an immigration officer that in 1987 she departed the United States, for Mexico, and a year later, in 1988, she returned to the United States. The director determined that the applicant had a prolonged absence of over one year; therefore, the applicant could not establish the requisite continuous residence.

It is noted that the applicant stated on the Notice of Appeal to the Administrative Appeals Office (AAO), Form I-290B, filed March 28, 2008, that an appeal brief will be submitted within 30 days. However, the record does not reflect receipt of an appeal brief. Therefore, the record must be considered complete.

On appeal, the applicant does not state a reason for the appeal and does not allege error on the part of the director. Instead, the applicant states only that she has submitted evidence that is clear and convincing, and that the Service does not have evidence to dispute the evidence provided. The applicant submits an affidavit from [REDACTED] previously provided, and does not submit any new evidence on appeal.

Any appeal that fails to state the reason for appeal, or is patently frivolous, will be summarily dismissed. 8 C.F.R. § 103.3(a)(3)(iv). A review of the decision reveals that the director accurately set forth a legitimate basis for denial of the application. On appeal, the applicant has not presented additional evidence and has not addressed the basis for denial. The appeal must therefore be summarily dismissed.

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