

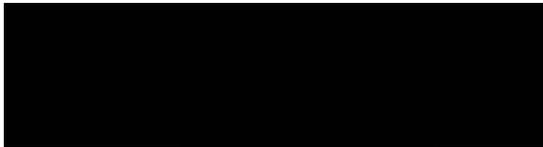


U.S. Citizenship  
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FILE:

MSC 03 127 60129

Office: NEW YORK Date: MAY 05 2009

IN RE:

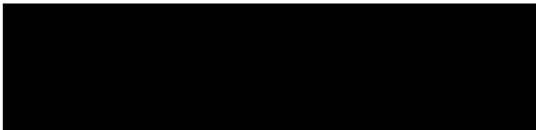
Applicant:



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.

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.

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. At the time of his first interview on May 5, 2004, the applicant failed to demonstrate a minimal understanding of English and minimal knowledge of United States history and government. According to the director, the applicant failed to appear for his second interview scheduled on October 15, 2004.

On appeal, counsel asserts that the director erroneously denied the application as the “decision indicates that the applicant was a no show at an interview when in fact we (He and I) were there but the DAO was not.” The applicant asserts that another immigration officer informed him that his interview would be rescheduled, but instead of receiving a new interview date, he received the Notice of Decision. Although counsel asserts, “[w]e submit proof of the stamped interview letter,” a thorough review of the record does not contain said letter.

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, neither counsel nor the applicant has presented additional evidence relevant to the grounds for denial. The appeal must therefore be summarily dismissed.

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