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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  
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FILE: [REDACTED]  
MSC 02 197 62079

Office: HOUSTON

Date:

OCT 05 2009

IN RE: Applicant: [REDACTED]

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. 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, Houston. The decision is now before the Administrative Appeals Office on appeal. The appeal will be dismissed.

The director denied the application because the applicant did not establish that he continuously resided in the United States for the duration of the requisite period.

On appeal, counsel submits no further documentation for consideration. Counsel stated that he would submit additional evidence upon receipt of the Record of Proceedings (ROP). The record shows the applicant's Freedom of Information and Privacy Acts request for the ROP was processed and responded to on March 29, 2009. Additionally, counsel stated he would submit a brief to the AAO within 30 days; however, he has not done so. Therefore, the record is considered complete.

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 that the director accurately set forth a legitimate basis for the denial of the application. On appeal, the applicant has not addressed the grounds stated for denial, nor has he presented additional evidence. The appeal shall therefore be summarily dismissed.

In removal proceedings held on May 17, 1979, a Special Inquiry Officer in Harlingen, Texas, ordered the applicant deported to Mexico under the name [REDACTED]. The record reflects he was deported to that country on May 17, 1979. Additionally, according to a final court disposition in the record, the applicant was convicted on August 6, 2004 by a Judge of the District Court of Harris County, Texas, under the name [REDACTED] of "OFFENSE:ASSAULT-FAMILY MEMBER," a misdemeanor. ([REDACTED])

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