

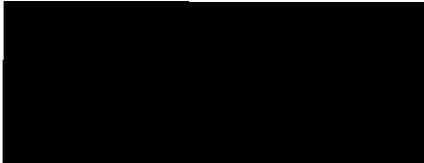
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U.S. Department of Homeland Security
U.S. Citizenship and Immigration Services
Office of Administrative Appeals MS 2090
Washington, DC 20529 - 2090

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



L2

FILE: MSC-02-144-60607

Office: HOUSTON

Date:

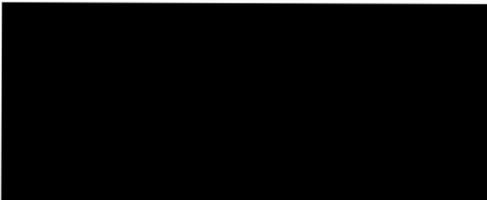
SEP 09 2009

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

The director denied the application because the applicant had not demonstrated that he had continuously resided in the United States in an unlawful status since before January 1, 1982 through May 4, 1988. The director stated that the applicant did not provide sufficient evidence to meet his burden of proof to establish his eligibility for the benefit sought. In addition, the director noted that the applicant did not respond to the notice of intent to deny (NOID).

On appeal, counsel does not submit a brief, evidence, or state a reason for the appeal. In the Form I-290B, counsel states that the applicant responded to the director's request for evidence dated September 24, 2004. Counsel states that he is not aware of any other request for evidence.

The record of proceeding indicates that the director issued a NOID on December 1, 2004 to the applicant's address of record and to counsel. The NOID asked the applicant to submit additional evidence. On appeal, the applicant submitted proof that he mailed a response to the NOID. However, the applicant did not provide a copy of his response to the NOID on appeal.

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 denial of the application. On appeal, the applicant has not presented any new evidence of his entry into the United States or his continuous residence during the requisite period. The applicant fails to specify how the director made any erroneous conclusion of law or statement of fact in denying the application. Nor has he specifically addressed the basis for denial. As the applicant presents no additional evidence relevant to the grounds for denial, the appeal will be summarily dismissed in accordance with 8 C.F.R. § 103.3(a)(3)(iv).

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