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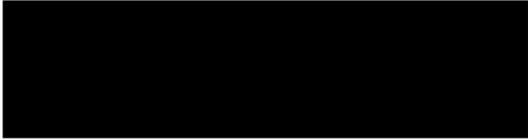
U.S. Department of Homeland Security
U.S. Citizenship and Immigration Services
Office of Administrative Appeals MS 2090
Washington, DC 20529-2090



U.S. Citizenship
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FILE:



Office: LOS ANGELES

Date: **JUL 06 2010**

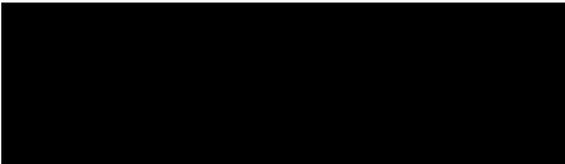
IN RE:

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.

Elizabeth McCormack

Perry Rhew
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 denied the application based on the determination that the applicant was ineligible to adjust to permanent resident status under 8 C.F.R. § 245a.18(a)(1), because he had been convicted of three misdemeanors in the United States.

On appeal, counsel and a separate criminal attorney contended that the applicant was attempting to gain post-conviction relief by having one of his misdemeanor convictions vacated. Counsel requested an extension to obtain documents to demonstrate that the applicant had not been convicted of three misdemeanors.

However, as of the date of this decision, neither the applicant nor counsel nor the applicant's criminal attorney has submitted a statement, brief, or evidence to supplement the appeal. Therefore, the record must be considered complete.

An alien who has been convicted of a felony or of three or more misdemeanors committed in the United States is ineligible for adjustment to Lawful Permanent Resident status. 8 C.F.R. § 245a.18(a)(1). *See* section 1104(c)(2)(D)(ii) of the LIFE Act.

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. Neither the applicant nor counsel specifically addressed the reason stated for denial or provided any additional evidence on appeal. The appeal must therefore be summarily dismissed.

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