

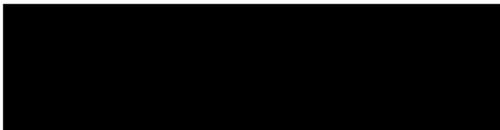
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U.S. Department of Homeland Security
U.S. Citizenship and Immigration Services
Office of Administrative Appeals MS 2090
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U.S. Citizenship
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Services



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FILE:



Office: FRESNO

Date:

SEP 15 2010

IN RE:

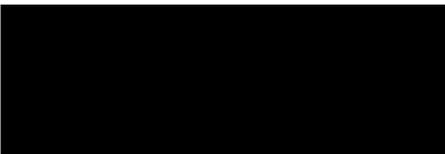
Applicant:



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.

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 of the Fresno office, and is now before the Administrative Appeals Office (AAO) on appeal. The appeal will be dismissed.

The director denied the application, finding that the applicant is ineligible for adjustment to permanent resident status under the LIFE Act because he has not established by a preponderance of the evidence that he had continuously resided in the United States in an unlawful status for the duration of the requisite period. More specifically, the director denied the application based upon the applicant's testimony at the time of his interview that he first entered the United States in 1986.

On appeal, counsel for the applicant asserts that the applicant meets all the eligibility requirements for permanent resident status. Counsel also asserts that the applicant was forced to be interviewed without the presence of counsel. However, the record does not reveal that the applicant requested to have his attorney present at the interview.¹ Further, counsel states that a brief and any additional evidence will be submitted within 30 days. Counsel has not submitted a brief. The applicant has not submitted any additional evidence 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 the director accurately set forth a legitimate basis for denial of the application. On appeal, the applicant has not addressed the grounds stated for denial, nor has he presented additional evidence relevant to the grounds for denial or the stated reason for appeal. The appeal must therefore be summarily dismissed.

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

¹ The applicant was accompanied by a family friend who acted as his interpreter during the interview.