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U.S. Department of Homeland Security  
U.S. Citizenship and Immigration Services  
Administrative Appeals Office (AAO)  
20 Massachusetts Ave., N.W. MS 2090  
Washington, DC 20529-2090



U.S. Citizenship  
and Immigration  
Services

**PUBLIC COPY**

[REDACTED]

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Date:

**MAY 15 2012**

Office: HARTFORD, CT

FILE:

[REDACTED]

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:

[REDACTED]

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 District Director (director) in New York City. It is now on appeal before the Administrative Appeals Office (AAO). The appeal will be dismissed.

The applicant, a native of Bangladesh who claims to have lived in the United States since March 1981, filed his application for legal permanent resident status under the LIFE Act (Form I-485) on May 2, 2002. On September 28, 2010, the director, Hartford, Connecticut, issued a Notice of Intent to Deny (NOID), notifying the applicant of the deficiencies in the evidence he has submitted in support of his application. The applicant was granted 30 days to submit rebuttal evidence. The applicant responded and on February 18, 2011, the director denied the application finding that the applicant failed to establish by a preponderance of the evidence that he had continuously resided in the United States in an unlawful status from before January 1, 1982 through May 4, 1988, and had been continuously physically present in the United States during the period beginning November 6, 1986 and ending May 4, 1988.

On appeal, counsel asserts that the adjudicating officer capriciously and arbitrarily denied the application without proper review of the evidence of record; that the adjudication officer used an improper standard of review; that the decision violates the principles of due process and has been issued in non-compliance of the provisions of the regulation under the Act; that the decision has been issued in violation of the settlement agreement; and that the applicant proffered substantial and ample documentary evidence in support of his claim. The applicant does not allege any legal or factual error in the director's decision, and does not address the evidentiary deficiencies and discrepancies cited in the NOID and the NOD.

On the Form I-290B, Notice of Appeal or Motion, dated February 25, 2011, counsel indicated that he will submit a brief and/or additional evidence to the AAO within 30 days. The record reflects that the applicant requested a copy of the Record of Proceedings (ROP) and indicated that he will submit a brief in support of the appeal after receiving copies of the ROP. The record also reflects that the applicant's request was processed more than six months ago. As of this date, no additional evidence has been submitted, and the record will be deemed complete. The applicant has not submitted new evidence bearing on the grounds for denial discussed in the decision.

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 addressed the grounds stated for denial, and has not cited any error(s) in the decision 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.



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