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U.S. Citizenship  
and Immigration  
Services

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FILE:

MSC 02 248 65767

Office: LOS ANGELES

Date:

NOV 01 2007

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:

Self-represented

INSTRUCTIONS:

This is the decision of the Administrative Appeals Office in your case. All documents have been returned to the office that originally decided your case. Any further inquiry must be made to that office.

Robert P. Wiemann, 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, Los Angeles, California, and is now before the Administrative Appeals Office on appeal. The appeal will be rejected.

The district director denied the application because the applicant had failed to submit the requested court disposition regarding her arrest in January 2006 for assault with a deadly weapon without a firearm. The director also denied the application because the applicant failed to establish continuous residence in the United States during the requisite period.

According to the evidence in the record, the applicant submitted court documentation in response to the director's request for additional evidence dated May 16, 2006.<sup>1</sup>

An affected party filing from within the United States has 30 days from the date of an adverse decision to file an appeal. An appeal received after the 30-day period has tolled will not be accepted. The 30-day period for submitting an appeal begins 3 days after the Notice of Decision is mailed. 8 C.F.R. § 245a.20(b)(1).

The record reflects that the director sent her decision of October 23, 2006 to the applicant at her address of record. The appeal was received by Citizenship and Immigration Services on November 28, 2006, 36 days after the decision was issued. Accordingly, the appeal was untimely filed, and must be rejected.

**ORDER:** The appeal is rejected as untimely filed.

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<sup>1</sup> The court document indicates the applicant was released due to prosecutor pre-filing deferral.