



U.S. Citizenship
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Services

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FILE: [REDACTED] Office: ATLANTA Date: NOV 09 2007
MSC 02 250 62949

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: 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. If your appeal was sustained, or if your case was remanded for further action, you will be contacted. If your appeal was dismissed, 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.

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, Atlanta, and is now before the Administrative Appeals Office (AAO) on appeal. The appeal will be summarily dismissed.

An applicant for permanent resident status under section 1104 of the LIFE Act has the burden to establish by a preponderance of the evidence that he or she has resided in the United States for the requisite periods, is admissible to the United States and is otherwise eligible for adjustment of status under this section. The inference to be drawn from the documentation provided shall depend on the extent of the documentation, its credibility and amenability to verification. 8 C.F.R. § 245a.12(e).

The applicant submitted insufficient evidence to credibly document his continuous residence in an unlawful status and his continuous presence in the United States during the relevant period. Consequently, on June 15, 2005, the district director issued a Notice of Intent to Deny (NOID) the application, and afforded the applicant 30 days in which to submit credible evidence to show that he had continuously resided in the United States in an unlawful status since before January 1, 1982 through May 4, 1988. In a response received on July 26, 2005, the applicant stated, "I regret to inform you that I do not have any solid evidence to proof [sic] my physically [sic] presence in USA between the dates mentioned in the notice." The applicant also submitted a letter from [REDACTED] of [REDACTED], which claimed that he knew the applicant at [REDACTED] and that they had maintained a "very healthy business relationship for the past 19 years." The director found that the response was insufficient to satisfy the applicant's burden of proof, and consequently denied the application on September 14, 2005.

On appeal, the applicant submits Form I-290B on which he states, "I am herein the USA i.e. since December 1981 which is more then [sic] 10 years. This denial would cause extreme exceptional and unusual hardship on my kids born here in USA. You are kindly requested to reconsider my case. Birth certificates of my kids are enclosed. Thanks."

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. The applicant's general statement on the Form I-290B, without specifically identifying any errors on the part of the director, is simply insufficient to overcome the well-founded and logical conclusions the director reached based on the evidence submitted by the applicant.

The applicant has failed to address the reasons stated for denial and has not 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.