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U.S. Department of Homeland Security  
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Washington, DC 20529



U.S. Citizenship  
and Immigration  
Services

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FILE: [Redacted]  
MSC-03-221-61305

Office: MISSOURI SERVICE CENTER

Date: **SEP 14 2007**

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 Director of the Missouri Service Center and is now before the Administrative Appeals Office (AAO) on appeal. The appeal will be rejected.

The director denied the application because the applicant had failed to establish that she was eligible for adjustment of status as a class member of one of the enumerated class action lawsuits, as required under section 1104(b) of the LIFE Act.

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 denial is mailed. 8 C.F.R. § 245a.20(b)(1). An applicant may be represented by an attorney or representative in accordance with 8 C.F.R. § 292. 8 C.F.R. § 103.3(a)(1)(iii)(B). The person acting in a representative capacity must be "authorized and qualified to represent," and a notice of appearance (Form G-28) must be signed by the applicant to authorize representation in order for the appearance to be recognized by the U.S. Citizenship and Immigration Services (CIS). 8 C.F.R. § 292.4.

In this case, [REDACTED] filed the appeal on behalf of the applicant. There is no Form G-28 on record. In the absence of a signed Form G-28, [REDACTED] is not authorized under 8 C.F.R. § 292 to represent the applicant. Therefore, this decision will be furnished to the applicant only.<sup>1</sup>

The director issued the notice of denial on March 22, 2004 and mailed it to the applicant's address of record. The appeal was received by CIS on May 14, 2004, 53 days later. Therefore, the appeal was untimely filed and must be rejected.

**ORDER:** The appeal is rejected.

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<sup>1</sup> Regardless of whether [REDACTED] had submitted a Form G-28, the AAO notes that she and the organization she represents, Azteca Corporation, are not authorized under 8 C.F.R. § 292.1 or § 292.2 to represent applicants. See <http://www.usdoj.gov/eoir/statspub/raroster.htm>