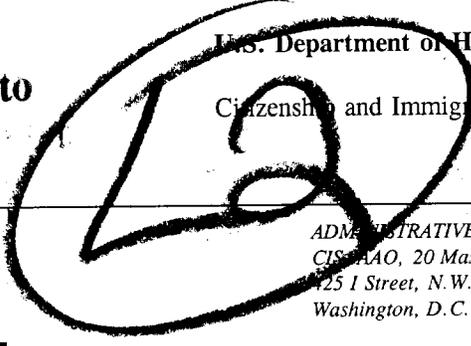


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U.S. Department of Homeland Security  
Citizenship and Immigration Services



ADMINISTRATIVE APPEALS OFFICE  
CIS AAO, 20 Mass, 3/F  
125 I Street, N.W.  
Washington, D.C. 20536



FILE: [REDACTED] Office: NATIONAL BENEFITS CENTER

Date: **NOV 05 2003**

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).

IN BEHALF OF APPLICANT: Self-represented

INSTRUCTIONS: Attached is the decision rendered on your appeal. The file has been returned to the Service Center that processed your case. If your appeal was sustained, or if your case was remanded for further action, the Service Center will contact you. 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, Director  
Administrative Appeals Office

**DISCUSSION:** The application for permanent resident status under the Legal Immigration Family Equity (LIFE) Act was denied by the Director, Missouri Service Center, and is now before the Administrative Appeals Office on appeal. The appeal will be dismissed.

The director concluded the applicant had not established that he had applied for class membership in any of the requisite legalization class-action lawsuits prior to October 1, 2000 and, therefore, denied the application.

On appeal, the applicant states that he never left the country and is eligible under the LIFE Act.

An applicant for permanent resident status under the LIFE Act must establish that before October 1, 2000, he or she filed a written claim with the Attorney General for class membership in any of the following legalization class-action lawsuits: *Catholic Social Services, Inc. v. Meese*, vacated sub nom. *Reno v. Catholic Social Services, Inc.*, 509 U.S. 43 (1993), *League of United Latin American Citizens v. INS*, vacated sub nom. *Reno v. Catholic Social Services, Inc.*, 509 U.S. 43 (1993), or *Zambrano v. INS*, vacated sub nom. *Immigration and Naturalization Service v. Zambrano*, 509 U.S. 918 (1993). See 8 C.F.R. § 245a.10.

The regulations provide an illustrative list of documents that an applicant may submit to establish that he or she filed a written claim for class membership before October 1, 2000. Those regulations also permit the submission of "[a]ny other relevant document(s)." See 8 C.F.R. § 245a.14.

The applicant failed to submit any documentation addressing this requirement when the application was filed. On rebuttal, the applicant provided a photocopy of the first page of a Memorandum of Creation of Record of Lawful Permanent Residence. This document was prepared in anticipation of the applicant being granted permanent resident status under section 202 of the Immigration Reform and Control Act. However, it does not establish that the applicant filed a claim for class membership.

Similarly, the applicant submitted photocopies of a Church World Service Registration Card, a Form I-72 Request for Additional Information instructing the applicant to submit a completed medical form, a receipt for an application for a social security number, a Form I-556 Processing Worksheet, and the previously filed Form I-485 Application for Permanent Residence under section 202. None of these documents pertain to the applicant having filed a request for class membership.

On appeal, the applicant submitted a photocopy of his Form I-94 Arrival/Departure record indicating that he entered the United

States as a parolee pursuing asylum. However, this document does not establish that the applicant filed a written claim for class membership.

Given his failure to document that he filed a written claim for class membership, the applicant is ineligible for permanent residence under section 1104 of the LIFE Act.

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