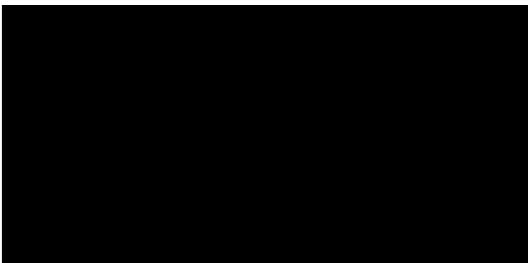


LA

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

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



NOV 19 2002

FILE: [Redacted]

Office: NATIONAL BENEFITS CENTER

Date:

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).

PUBLIC COPY

ON 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
for

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 (AAO) on appeal. The appeal will be dismissed.

The director concluded the applicant had not established that she 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 asserts that she has submitted sufficient evidence of having applied for class membership in the *CSS v. Meese* legalization class-action lawsuit.

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.

Along with her LIFE application, the applicant provided photocopies of the following: a Form for Determining Class Membership in *CSS v. Meese*, purportedly signed by the applicant on March 8, 1990; a Legalization Front-Desking Questionnaire purportedly signed by the applicant on September 28, 2000; and a Form I-687 application allegedly signed by the applicant on November 28, 1988. Subsequently, in response to the notice of intent to deny, the applicant provided a photocopy of a communication dated June 2, 1992 from the Vermont Service Center, which acknowledges that an application from the applicant was pending.

On September 5, 2003, the AAO sent the applicant a follow-up letter, informing her that, in order to expedite the processing of her appeal, she was requested to submit the *original* communication from the Vermont Service Center. The AAO's communication also referenced the applicant's photocopied application Form I-687, which indicated that her *only* absence occurred in January/February 1988. The AAO noted that this information on the I-687 was at variance with her LIFE application, which showed that the applicant's daughter, Ruth Annan, was born in Ghana on November 1985. Noting this inconsistency, the AAO requested the applicant to include the exact dates of her absence from the U.S. in connection with her daughter's birth in Ghana.

Subsequently, on September 19, the applicant responded to the AAO's communication of September 5. Addressing the question of her daughter Ruth's birth in Ghana in November 1985, the

applicant asserted that this individual was not her biological daughter but, rather, a niece who was subsequently adopted by the applicant as a "stepdaughter" in the wake of a family tragedy. While the AAO will accept the applicant's explanation of this apparent inconsistency, the applicant has yet to provide the original of the photocopied Vermont Service Center communication, which was also requested in the AAO's letter of September 5. The applicant's failure to produce the original of this document raises grave questions regarding the authenticity of the evidence submitted in support of her LIFE application.

It is further noted that the applicant is one of many aliens residing in New York City who have furnished such questionable photocopied documents along with their LIFE applications. None of these applicants had pre-existing files with CIS prior to filing their LIFE applications, in spite of the fact that they all claim to have previously filed numerous applications or questionnaires with CIS.

The applicant has failed to submit credible documentation establishing that she filed a timely written claim for class membership. Accordingly, 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.