

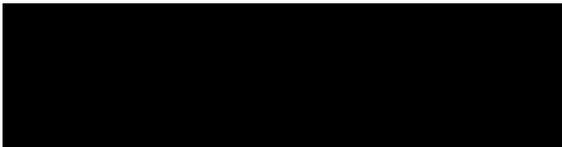
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U.S. Department of Homeland Security
20 Mass, Rm. A3042, 425 I Street, N.W.
Washington, DC 20536



U.S. Citizenship
and Immigration
Services



FILE: [Redacted]

Office: National Benefits Center

Date: APR 13 2004

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. The file has been returned to the National Benefits Center. If your appeal was sustained, or if the matter 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, 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. It was reopened and denied again by the Director, National Benefits Center. The matter is now on appeal before the Administrative Appeals Office (AAO). The appeal will be dismissed.

An applicant for permanent resident status under section 1104 of 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 one 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) ("CSS"), *League of United Latin American Citizens v. INS*, vacated sub nom. *Reno v. Catholic Social Services, Inc.*, 509 U.S. 43 (1993) ("LULAC"), or *Zambrano v. INS*, vacated sub nom. *Immigration and Naturalization Service v. Zambrano*, 509 U.S. 918 (1993) ("Zambrano"). See section 1104(b) of the LIFE Act and 8 C.F.R. § 245a.10.

The directors concluded that the applicant had not established 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. In the second decision, issued by the Director, National Benefits Center, it was noted that the applicant was applying with his wife, [REDACTED], whom he married on April 20, 1995. However, since a spouse can only claim derivative class membership status under the LIFE Act if the marital relationship existed during the original legalization filing period of May 5, 1987 to May 4, 1988, the late date of the applicant's marriage precluded any possibility of derivative status in this case.

The applicant filed an appeal on December 2, 2002, but did not state his reason(s) therefor. On the appeal form the applicant indicated that he was not yet ready to submit any documents and that he needed 60 days to submit a brief and/or evidence. Up to the date of this decision, however, no such brief or evidence has been submitted, nor any other communication from the applicant.

As specified in 8 C.F.R. § 103.3(a)(3)(iv), any appeal that fails to state the reason for appeal, or is patently frivolous, will be summarily dismissed. The applicant in this appeal has not addressed the reasons for the denial of his application, which were explained in the directors' decisions. Nor has he provided any brief or additional evidence for the AAO to consider. Thus, the appeal is completely without explanation or support and must be summarily dismissed.

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