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**U.S. Citizenship  
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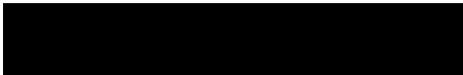
FILE:



Office: National Benefits Center

Date: **APR 13 2004**

IN RE: Applicant:



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.

A handwritten signature in cursive script, appearing to read "Robert P. Wiemann".

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

The director concluded that the applicant had not established 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 submitted a Form I-687 to the East Los Angeles Legalization Office prior to October 1, 2000 and "was told to wait for my scheduled appointment which I never received." On the appeal form the applicant indicated she was submitting a separate brief or evidence, but no such materials accompanied the appeal.

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 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 does not even assert, much less submit any supporting documentation, that she filed a written claim for class membership in any of the three legalization lawsuits, *CSS*, *LULAC*, or *Zambrano*. Nor does Citizenship and Immigration Services (CIS), successor to the Immigration and Naturalization Service (INS), have any record that the applicant filed a claim for class membership in one of the legalization lawsuits. With her LIFE application the applicant submitted a photocopied Form I-687, which is listed in 8 C.F.R. § 245a.14 as a document that could be viewed as evidence of an application for class membership in a legalization lawsuit if submitted with a class membership application. The form submitted by the applicant is undated, however, and INS has no record of receiving an I-687 form from the applicant before October 1, 2000. The applicant has submitted no evidence, such as a postal receipt or an acknowledgement letter, that she submitted the Form I-687 to the INS before October 1, 2000. In fact, the INS (now CIS) has no record of receiving any correspondence from the applicant until her LIFE application was filed on May 13, 2002.

Thus, the record fails to establish that the applicant filed a written claim for class membership in one of the legalization lawsuits, *CSS*, *LULAC*, or *Zambrano*, prior to October 1, 2000, as required under section 1104(b) of the LIFE Act.

Accordingly, the applicant is ineligible for permanent resident status under section 1104 of the Act.

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