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U.S. Citizenship
and Immigration
Services

L2

FILE: [REDACTED]

Office: National Benefits Center

Date: APR 28 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.

A handwritten signature in black ink, 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 sustained.

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 applied for class membership in the CSS lawsuit, *infra*, in 1990, resubmits some documentation that was already in the record, and requests that her case be reconsidered.

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.

As evidence that she filed a claim for class membership in one of the legalization lawsuits, the applicant has submitted (a) a photocopy of an interview notice from the Immigration and Naturalization Service (INS), dated November 20, 1990, scheduling an appointment for the applicant at an INS office in Los Angeles on February 24, 1991, "[t]o submit your application for amnesty as a *CSS v. Thornburgh* or *LULAC v. INS* class member" and (b) a photocopy of an I-72 form, dated February 24, 1991, advising the applicant that she needed "to submit proof of departure in 1988" to qualify for class membership in CSS.

The AAO determines that these documents constitute credible evidence that the applicant filed a claim for class membership. Moreover, the claim was filed prior to October 1, 2000, as required under section 1104(b) of the LIFE Act.

Accordingly, the appeal will be sustained. The director shall forward the application to the appropriate office to complete the adjudication.

ORDER: The appeal is sustained.