



U.S. Citizenship
and Immigration
Services

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**Identifying data deleted to
prevent clearly unwarranted
invasion of personal privacy**

[Redacted]

FILE:

[Redacted]

Office: National Benefits Center

Date: **FFR 11 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:

[Redacted]

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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.

[Handwritten signature of Robert P. Wiemann]

Robert P. Wiemann, Director
Administrative Appeals Office

action lawsuits. The applicant's other contention that he filed a timely claim for class membership in the *CSS* lawsuit is, as previously discussed, not supported by the record.

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

Furthermore, section 1104(c)(2)(B)(i) of the LIFE Act requires that the applicant have entered the United States before January 1, 1982, and resided in this country continuously in an unlawful status through May 4, 1988 to be eligible for legalization. As the applicant clearly states in the record, however, he first entered the United States in January 1988. Thus, the applicant did not enter the United States before January 1, 1982 and reside in this country unlawfully for the requisite time period of January 1, 1982 to May 4, 1988.

For the reasons discussed above, the applicant is ineligible for permanent resident status under section 1104 of the LIFE Act.

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