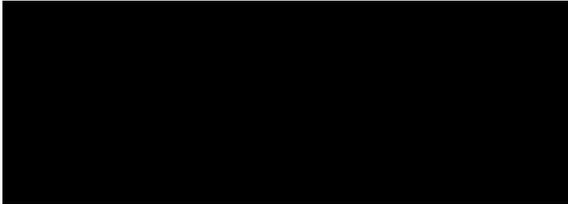


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**identifying data deleted to  
prevent clearly unwarranted  
invasion of personal privacy**



**U.S. Citizenship  
and Immigration  
Services**



LA

FILE:



Office: National Benefits Center

Date: JUN 23 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 office that originally decided your case. 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

It is noted that the applicant is one of many aliens whose LIFE applications were prepared by [REDACTED] [REDACTED] immigration consultant in Chicago. Although he signed the appeals, [REDACTED] is not an accredited representative or otherwise authorized to represent aliens in proceedings before CIS.

Furthermore, all of his cases reviewed by this office thus far are the same in that all of the aliens claim to have requested class membership in the *Catholic Social Services* (CSS) lawsuit, rather than *Zambrano* or LULAC. Most claim to have been absent from the United States in 1987 or 1988, which could qualify them for CSS consideration, and to have returned within 45 days, which would allow them to be considered to have still maintained continuous residence for legalization purposes. Also, although LIFE applicants must demonstrate that they resided in the United States from January 1, 1982 to May 4, 1988, pursuant to 8 C.F.R. 245a.11(b), virtually none of these aliens, including this applicant, has provided any of the contemporaneous documents relating to residence during that period that are listed in 8 C.F.R. 245a.2(d)(3), such as pay stubs, W-2 forms, bills, school and medical records, receipts, licenses, registrations, and birth certificates of children born in the United States. Although he has submitted two pay stubs dated October 26, 1986 and February 21, 1988, the affidavits he and the other applicants have provided attesting to their residence for the 1982-88 period are all in the same stylized format with the same typeface, and they are all identically-worded "fill in the blank" statements. Although they live in different parts of Chicago and its suburbs, the applicants all provide an affidavit attesting to membership in the same parish in Chicago. These factors and commonalities raise additional questions as to the eligibility of the applicants for adjustment of status under the LIFE Act.

Doubt cast on any aspect of an applicant's proof may lead to a reevaluation of the reliability and sufficiency of the remaining evidence. It is incumbent upon an applicant to resolve any inconsistencies in the record by independent objective evidence, and attempts to explain or reconcile such inconsistencies, absent competent objective evidence pointing to where the truth, in fact, lies, will not suffice. *Matter of Ho*, 19 I & N. Dec. 582 (BIA 1988).

Given his failure to establish having filed a timely written claim for class membership, and the dubious nature of his documentation, 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.