

PUBLIC RELEASE



U.S. Citizenship
and Immigration
Services

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invasion of personal privacy



LA

FILE: [Redacted]

Office: National Benefits Center

Date: JUN 23 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. All documents have 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.

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, and is now before the Administrative Appeals Office on appeal. The appeal will be dismissed.

The directors concluded the applicant had not established that 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.

The applicant simply resubmits photocopies of two documents that were considered by the director in his order.

An applicant for permanent resident status under 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 any 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 8 C.F.R. § 245a.10.

The applicant did not submit any relevant documents. With his application for permanent residence under the LIFE Act, in response to the notice of intent to deny, and on appeal, the applicant provides documentation relating to a previously filed request for consideration as a replenishment agricultural worker or RAW. While aliens requesting consideration as replenishment agricultural workers were assigned registration numbers by CIS, these registration numbers are not A-file numbers. Moreover, the RAW program has never been associated with any of the legalization class-action lawsuits cited above, and the fact that an individual requested consideration as a replenishment agricultural worker cannot be equated with having filed a written claim for class membership in these legalization lawsuits.

The applicant has failed to claim or document that he filed for membership in any of the requisite legalization class-action lawsuits. Given his failure to claim, much less document that he filed a written claim for class membership, 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.