

U.S. Citizenship  
and Immigration  
Services



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FILE: [Redacted] Office: National Benefits Center Date: MAR 16 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 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.

On appeal, the applicant asserts that his application was handed back to him and “was never even taken into consideration due to the fact that I had travel[ed] to Mexico and was not present the entire time.” The applicant stated that he had already submitted all the documentation in his possession.

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.

When he filed his LIFE application in July 2002, asserting that he had “applied [for] CSS late amnesty,” the applicant also submitted (1) an original Form I-687, Application for Status as a Temporary Resident (Under section 245A of the Immigration and Nationality Act), signed by the applicant and dated September 1, 1993, and (2) a Form G-56, interview notice from the INS Legalization Office in Los Angeles, dated September 10, 1993, scheduling an appointment for the applicant on November 6, 1993, “to submit your application for amnesty as a CSS vs. Reno or LULAC vs. INS class member.” The applicant subsequently submitted a personal statement in November 2002 asserting that he had “applied for the late amnesty on (sic) California in 1990 and when I went for my interview appointment . . . they just handed me back my application and told me that the CSS late amnesty did not allow for persons who were in process to go to Mexico.”

The AAO determines that the foregoing documents constitute credible evidence that the applicant filed a claim for class membership in CSS. 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.