



U.S. Citizenship  
and Immigration  
Services



LA

FILE: [REDACTED] Office: PHOENIX Date: [REDACTED]

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

[Handwritten initials]

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. Any further inquiry must be made to that office.

Robert P. Wiemann, Director  
Administrative Appeals Office

PROVEN GUILTY UNDER AN  
INVASION OF PERSONAL PRIVACY

**DISCUSSION:** The application for permanent resident status under the Legal Immigration Family Equity (LIFE) Act was denied by the District Director, Phoenix, Arizona, and is now before the Administrative Appeals Office on appeal. The appeal will be dismissed.

The director 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.

On appeal, the applicant asserts that "the Service has all the documentation on file, and that it know [sic] my whereabouts [sic] better than I, so I am not going to reiterated [sic] it." The applicant states that he has been residing in the United States for 20 years and requests that his application be reconsidered.

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 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.

Along with his LIFE application, the applicant submitted a copy of a Legalization Front-Desking Questionnaire dated February 21, 2002. In response, to the Notice of Intent Deny issued on March 20, 2003, the applicant resubmitted the photocopied Legalization Front-Desking Questionnaire. It must be noted that the date on the questionnaire has been altered to indicate the questionnaire was signed by the applicant on February 21, 1990. Pursuant to the above regulation, an alien would have to demonstrate that he or she had filed a written claim for class membership prior to October 1, 2000 in order to qualify for late legalization under the LIFE Act. As such, the initial questionnaire submitted by the applicant does not meet the basic requirement for class membership of having been filed in a timely manner. Credibility issue arise when a document that does not establish eligibility is altered to demonstrate that the applicant is eligible for the benefit being sought. As such, the altered questionnaire cannot be used as evidence of a timely written claim for class membership prior to October 1, 2000.

Given his failure to document that he filed a timely 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.