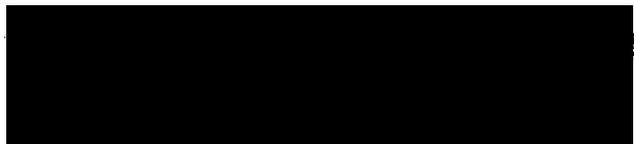


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U.S. Citizenship  
and Immigration  
Services

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



LA

FILE: [REDACTED] Office: NATIONAL BENEFITS CENTER Date: MAY 25 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]

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.

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, and is now before the Administrative Appeals Office (AAO) 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, counsel asserts that the Legalization Questionnaire submitted by the applicant provides sufficient evidence of a written claim to class membership. Counsel claims that the applicant was front-desked.

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.

Counsel's assertion that the applicant's application was "front desked" is without merit. The record reflects that the applicant filed a timely Form I-687 application on November 25, 1987 for temporary resident status under section 245A of the Immigration and Nationality Act (the Act). The Form I-687 application was approved on February 16, 1988. The applicant's temporary resident status was terminated on November 26, 1997. The applicant's appeal to the termination of his temporary resident status was dismissed by the AAO on December 28, 1999. Furthermore, the applicant indicated on his Legalization Questionnaire that "I was denied because I failed to timely file I-698 [Application to Adjust Status from Temporary for Permanent Resident]" and his visit to the office was to pursue his permanent resident status. The termination of the applicant's temporary resident status does not conclude that his Form I-687 Application was front-desked.

No evidence has been presented which would suggest that the applicant had attempted to file a subsequent Form I-687 Application and was front-desked. The applicant has not provided any documents which would establish that he filed a timely written claim for class membership. Also, there are no records within Citizenship and Immigration Services which demonstrate that the applicant applied for class membership. Given that, 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.