



U.S. Citizenship  
and Immigration  
Services

12

[REDACTED]

FILE:

[REDACTED]

Office: NATIONAL BENEFITS CENTER

Date:

SEP 02 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. Any further inquiry must be made to that office.

Robert P. Wiemann, Director  
Administrative Appeals Office

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identifying data deleted to  
prevent clearly unwarranted  
invasion of personal privacy

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

The director concluded the applicant had not established that she had applied for class membership in any of the requisite legalization class-action lawsuits prior to October 1, 2000. The director also concluded that the Alien Registration Number provided by the applicant was never assigned to her. Accordingly, the director denied the application.

On appeal, the applicant disputes the director's finding that the A-number presented with her LIFE application was never assigned to her. The applicant asserts "why they gave to my in the INS office in Paterson, when I had the appt." The applicant requests Citizenship and Immigration Services (CIS) review its files again.

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 her LIFE application, the applicant submitted: 1) a copy of an undated Form G-56, appointment notice purportedly from the New Jersey District Office informing the applicant of an interview date of October 26 [no year given]; 2) a copy of an undated form requesting specific documents to bring to an interview on March 28, 1994; and 3) a Form for Determination of Class Membership in *CSS v. Reno* dated November 1, 1995.

In response to a Notice of Intent to Deny issued on June 9, 2003, the applicant submitted photocopies of the documents that were initially provided with her LIFE application. The applicant asserted that the A-number, 93 490 270 was assigned to her by the legacy Immigration and Naturalization Service "many years ago."

While the appointment notice could possibly be considered as evidence of having made a written claim for class membership, there is no record of CIS generating the appointment notice listed above or receiving a Form for Determination of Class Membership as allegedly submitted by the applicant. In fact, there is no record of CIS generating any correspondence prior to the filing of the applicant's Form I-485 Application. As such, the applicant's assertion on appeal has no merit. Furthermore, CIS records fail to establish that the applicant filed a timely written claim for class membership on any of the legalization class action lawsuits as required in section 1104(b) of the LIFE Act.

Given her failure to document that she 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.