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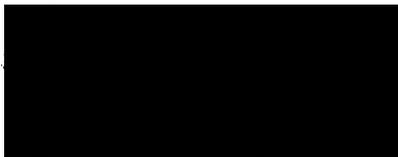
U.S. Department of Homeland Security  
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U.S. Citizenship  
and Immigration  
Services

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FILE: [REDACTED] Office: NATIONAL BENEFITS CENTER Date: MAR 03 2005

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 office that originally decided your case. If your appeal was sustained, or if your case 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 cursive script, 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, National Benefits 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 she 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 declares that she did submit her LIFE Act application in a timely manner, but that she had been misinformed regarding the prior filing of a legalization application.

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.

With her Form I-485 LIFE Act application, the applicant included photocopies of the following documents:

- a Form I-687, Application for Status as a Temporary Residence under Section 245A of the INA, that is signed by the applicant and dated November 10, 1987;
- a "Form for Determination of Class Membership in CSS v. Meese" that is signed by the applicant and dated November 15, 1988, and;
- a Legalization Front-Desking Questionnaire that is signed by the applicant and dated September 5, 2000.

On both the determination form and the questionnaire, the applicant indicated that she attempted to file a legalization application for temporary residence under section 245A of the INA during the application period, but was told that she was not eligible by an employee of a Qualified Designated Entity, or QDE (a network of organizations designated by Congress in an effort to encourage and assist aliens in filing applications for temporary residence under both sections 210 and 245A of the INA). While the applicant may have been front-desked (informed that she was not eligible for legalization) by a QDE employee when she attempted to file a legalization application, this action alone does not equate to having filed a written claim for class membership in any of the requisite legalization class-action lawsuits.

The photocopied documents such as that provided by the applicant are examples of documents listed in 8 C.F.R. § 245a.14 that may be furnished in an effort to establish that an alien had previously applied for class membership. Although all of the documents are dated prior to October 1, 2000, the statutory deadline for the filing of written claims for class membership in a legalization class-action action under section 1104 of the LIFE Act, the record contains no evidence that any of these documents were submitted to Service or its successor CIS, prior to the filing of the LIFE Act application on February 21, 2003.

The record reflects that all appropriate indices and files were checked and it was determined that the applicant had not applied for class membership in a timely manner. Given her failure to document that she timely 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.