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U.S. Citizenship  
and Immigration  
Services

L2



FILE:



Office: NATIONAL BENEFITS CENTER

Date: **APR 11 2006**

IN RE:

Applicant:



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.

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, 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 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 he is eligible for permanent resident status under the LIFE Act as he filed a timely written claim for class membership. The applicant submits additional copies of the documents that were previously provided.

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 photocopies of: 1) a Form I-687 application dated March 14 1995; 2) a Form for Determination of Class Membership dated March 14, 1995; 3) an undated notice from the Director, Western Service Center informing the applicant that either an alien registration number or receipt number was required as the Service Center was unable to identify the application he was inquiring; 4) a notice dated September 25, 1996 from the California Service Center informing the applicant that his money order in the amount of \$75.00 was being returned and that he must contact his local INS office for assistance; and 5) evidence to establish his identity and residence in the United States.

The documentation presented to establish the applicant's residence and identity does not constitute that he filed a timely written claim for class membership prior to October 1, 2000. While the remaining documents could possibly be considered as evidence of having made a written claim for class membership, none of these submissions include a Citizenship and Immigration Services (CIS) Alien Registration Number (A-number, or file number) for the applicant, as required in 8 C.F.R. § 245.14(b). There is no record of CIS receiving the Form I-687 application allegedly submitted by the applicant. Further, the applicant's failure to submit responses to the Service Center's notice undermines the credibility of his claim to have submitted a written claim for class membership.

It is concluded that the photocopies the applicant has submitted do not establish that he actually filed a written claim for class membership in *CSS/LULAC*, as required in section 1104(b) of the LIFE Act. For failure to meet this statutory requirement, the applicant is ineligible for permanent resident status under section 1104 of the LIFE Act.

**ORDER:** The appeal is dismissed. This decision constitutes a final notice of ineligibility.