

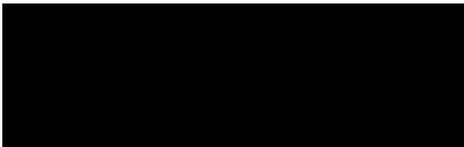
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U.S. Citizenship  
and Immigration  
Services

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.

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. The director also concluded that the Alien Registration Number provided by the applicant in response to the Notice of Intent to Deny was never assigned to him. Accordingly, the director denied the application.

On appeal, the applicant asserts he is eligible for permanent resident status under the LIFE Act as he filed a written claim for class membership prior to October 1, 2000.

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 September 23, 1994; 2) an undated Form for Determination of Class Membership; 3) a Form I-72 dated May 14, 1994, which purportedly listed the applicant's name and an alien registration number A92949794; and 4) a Form G-56 dated May 14, 1994, which indicated the reason for the applicant's purported appointment on March 9, 1995 as "To submit you [sic] application for amnesty as a *CSS vs. Thornburgh* or *LULALC vs. INS* Class Member."

The director, in denying the application, asserted that the alien registration number (A92949794) provided by the applicant did not belong to him. A search of Citizenship and Immigration Services records and indices support the director's finding. The alien registration number was assigned to someone other than the applicant in 1988, six years prior to the submission of the fraudulent Form I-72. This fact raises serious questions regarding the authenticity of the Form I-687 application and supporting documentation.

Doubt cast on any aspect of the evidence may lead to a reevaluation of the reliability and sufficiency of the remaining evidence. It is incumbent upon an applicant to resolve any inconsistencies in the record by independent objective evidence, and attempts to explain or reconcile such inconsistencies, absent competent objective evidence pointing to where the truth, in fact, lies, will not suffice. See *Matter of Ho*, 19 I&N Dec. 582 (BIA 1988).

It is concluded that the applicant has failed to credibly establish that he actually filed a written claim for class membership, as required in section 1104(b) of the LIFE Act. For failure to meet this statutory requirement, 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.