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U.S. Citizenship
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Services

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LA

FILE: [REDACTED]

Office: National Benefits Center

Date: MAY 04 2006

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 National Benefits Center. If your appeal was sustained, or if the matter 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 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 District Director in Phoenix, Arizona. It is now on appeal before the Administrative Appeals Office (AAO). The appeal will be sustained.

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 that he “applied by CSS with the hope to become [a] legal permanent resident.”

An applicant for permanent resident status under section 1104 of 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 one 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 section 1104(b) of the LIFE Act and 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 (Form I-485), the applicant provided photocopies of the following pertinent documentation:

- 1) a Form I-687, Application for Status as a Temporary Resident (Under Section 245A of the Immigration and Nationality Act), signed by the applicant and dated February 20, 1992;
- 2) a Form for Determination of Class Membership in *CSS vs. Thornburgh*, signed by the applicant and dated February 20, 1992;
- 3) an interview notice to the applicant from the INS Legalization Office in Los Angeles, dated May 11, 1992, scheduling an appointment for him on July 16, 1992 “to submit your application for amnesty as a *CSS vs. Thornburgh*,” and
- 4) an undated notice to the applicant from the INS “to inform you that effective immediately, the Immigration and Naturalization Service has ceased accepting class membership applications in *Catholic Social Services (CSS) v. Reno*.”

The AAO determines that the foregoing documents constitute credible evidence that the applicant filed a claim for class membership in CSS. Moreover, the claim was filed prior to October 1, 2000, as required under section 1104(b) of the LIFE Act.

Accordingly, the appeal will be sustained. The director shall forward the application to the appropriate office to complete the adjudication.

ORDER: The appeal is sustained.