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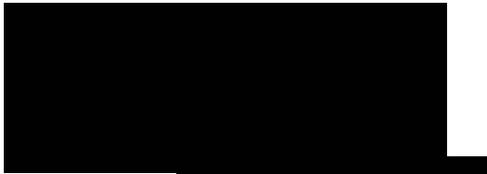
U.S. Department of Homeland Security  
20 Mass. Ave., N.W., Rm. 3000  
Washington, DC 20529



U.S. Citizenship  
and Immigration  
Services

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FILE: [Redacted]  
MSC 03 251 60964

Office: NATIONAL BENEFITS CENTER

Date: **SEP 28 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 office that originally decided your case. 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 "R. Wiemann".

Robert P. Wiemann, Chief  
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 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 petitioner submits copies of documents already on record.<sup>1</sup>

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 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), *League of United Latin American Citizens v. INS*, vacated sub nom. *Reno v. Catholic Social Services, Inc.*, 509 U.S. 43 (1993), or *Zambrano v. INS*, vacated sub nom. *Immigration and Naturalization Service v. Zambrano*, 509 U.S. 918 (1993). 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 membership before October 1, 2000. Those regulations also permit the submission of "[a]ny other relevant document(s)", and require Citizenship and Immigration Services (CIS) to determine whether an alien filed a written claim for class membership as reflected in CIS indices and administrative files. See 8 C.F.R. § 245a.14.

The director shall document any efforts that were made to check CIS indices and any other possible files for evidence of the applicant having applied for class membership. The director must also address the evidence furnished by the applicant and make a determination as to its sufficiency. Any perceived shortcomings in the evidence must be specified by the director in order that the applicant has the opportunity to file a meaningful appeal.

In the Notice of Intent to Deny, the director observed that the applicant had submitted the following evidence:

- Copy of Mexican birth certificate with translation
- Affidavit attesting to applicant's employment and identity
- Form I-700, Application for Temporary Resident Status as a Special Agricultural Worker (SAW), signed September 25, 1988
- Letter dated April 2, 1990 from Nebraska Service Center denying applicant's Form I-700 application
- Form I-694, Notice of Appeal, signed January 9, 1991

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<sup>1</sup> Although a Notice of Entry of Appearance as Attorney or Representative (Form G-28) for [REDACTED] of the Templo Calvario Legalization Center has been submitted, neither [REDACTED] nor his organization are authorized under 8 C.F.R. § 291.1 or § 292.2 to represent the applicant. See <http://www.usdoj.gov/eoir/statspub/raroster.htm>. Therefore, this decision will be furnished to the applicant only.

- Letter dated October 13, 1994 from Administrative Appeals Office dismissing the applicant's appeal
- Copies of Employment Authorization Documents under category C(20).

In his decision, the Director observes that the applicant submitted additional evidence related to his SAW application and other employment, but again failed to submit evidence demonstrating that the applicant filed a written claim for class membership as required. The director also noted that a review of Service records failed to reveal any information that would indicate the applicant timely filed a written claim for class membership. The director concluded that the record did not show that the applicant filed a written claim for class membership.

As stated in 8 C.F.R. § 103.3(a)(3)(iv), any appeal which is filed that fails to state the reason for appeal, or is patently frivolous, will be summarily dismissed. The applicant has failed to address the reasons stated for denial and have not provided any additional evidence on appeal. The appeal must therefore be summarily dismissed.

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