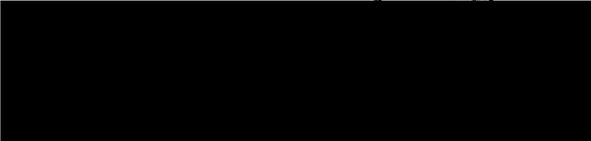


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U.S. Citizenship
and Immigration
Services

**Identifying data deleted to
prevent clearly unwarranted
invasion of personal privacy**



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FILE:



Office: NATIONAL BENEFITS CENTER

Date: **DEC 23 2005**

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 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 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 asserts she is eligible for permanent resident status under the LIFE Act as she mailed a member declaration "to the *LULAC* office in California". The applicant states that she visited the immigration office in New York City where she received an appointment for an interview on February 1, 1991. The applicant claims that at the time of her interview, she was informed that she qualified to be a *LULAC* member.

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.

In support of her LIFE application, the applicant submitted photocopies of: 1) an undated Form G-56, Appointment Notice purportedly issued by the New York office indicating that an interview had been scheduled on February 1, 1991 to determine class membership; 2) a Form I-687 application allegedly signed by the applicant on April 17, 1990; 3) a legalization questionnaire alleged signed by the applicant on September 20, 2000; and 4) evidence in an attempt to establish her residence in the United States.

While the affidavits from acquaintances may attempt to serve as evidence of the applicant's residency, they do not establish that the applicant filed a timely written claim for class membership prior to October 1, 2000. The Form G-56 could possibly be considered as evidence of having made a written claim for class membership, however, the notice does not 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). Furthermore, there is no record of CIS generating the Form G-56 listed above or receiving an application allegedly submitted by the applicant. Clearly, the applicant did *not* file the Form I-687 application. In fact, there is no record of CIS generating any correspondence prior to the filing of the applicant's Form I-485 application. As such, the photocopied Form G-56 the applicant has submitted cannot be authentic.

The record does not establish that the applicant filed a written claim for class membership prior to October 1, 2000 in *CSS*, nor in the other legalization lawsuits, *LULAC* or *Zambrano*, as required under section 1104(b) of the LIFE Act. Accordingly, 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.