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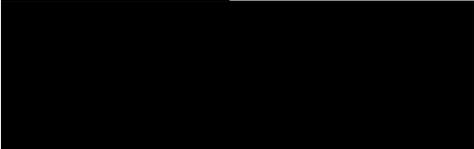
U.S. Department of Homeland Security
U.S. Citizenship and Immigration Services
Administrative Appeals Office MS 2090
Washington, DC 20529-2090

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U.S. Citizenship
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Services

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FILE: [REDACTED]
MSC-03-218-60560

Office: NATIONAL BENEFITS CENTER

Date: JUN 15 2009

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. If your appeal was dismissed or rejected, all documents have been returned to the National Benefits Center. 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. If your appeal was sustained or remanded for further action, you will be contacted.

John F. Grissom
Acting Chief, Administrative Appeals Office

DISCUSSION: The application for permanent resident status under the Legal Immigration Family Equity (LIFE) Act was denied by the director of the National Benefits Center, and is now before the Administrative Appeals Office on appeal. The appeal will be dismissed.

The director concluded that 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 requests review of the documents submitted in support of his application.

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 his application, the applicant submitted a form G-325A biographic information sheet. In response to the Notice of Intent to Deny issued on July 8, 2003, the applicant submitted copies of two Employment Authorization Documents, a copy of a Form I-687, Application for Status as a Temporary Resident, and a G-56 Appointment Notice, all of which documents belong to persons other than the applicant.¹ The director found that the evidence submitted by the applicant failed to establish that he filed a timely written claim for class membership in one of the legalization class action lawsuits.

On appeal, the applicant did not provide any additional evidence of having filed a timely written claim for class membership under one of the legalization class action lawsuits prior to October 1, 2000 as stated in 8 C.F.R. § 245a.10.

In the instant proceeding the applicant has not applied for class membership in a lawsuit but rather has applied directly for permanent resident status under the LIFE Act. The AAO agrees with the director that the evidence submitted by the applicant has not provided evidence of his prima facie eligibility for LIFE legalization. Due to the applicant's failure to provide evidence

¹ The Employment Authorization Documents (EAD) submitted lists the A-number, date of birth and middle initial of [REDACTED]. The G-56 lists the name and date of birth of [REDACTED] and lists an address not stated by the applicant on his G-325A biographic information sheet. The copy of an I-687 application indicates it belongs to [REDACTED].

that he filed a timely written claim for class membership, 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.