



U.S. Citizenship  
and Immigration  
Services

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FILE:

Office: TEXAS SERVICE CENTER

Date: MAY 16 2006

INRE:

Applicant:

APPLICATION:

Application for Status as a Temporary Resident pursuant to Section 210 of the  
Immigration and Nationality Act, as amended, 8 U.S.C. § 1160

ON BEHALF OF APPLICANT:

INSTRUCTIONS:

This is the decision of the Administrative Appeals Office in your case. The file has been returned to the service center that processed your case. If your appeal was sustained, or if your case 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.

Robert P. Wiemann, Chief  
Administrative Appeals Office

DISCUSSION: The application for temporary resident status was denied by the Director, Texas Service Center, and is now before the Administrative Appeals Office on appeal. The appeal will be dismissed.

The director denied the application because the applicant admitted at the interview that he had not performed the agricultural employment that he had initially claimed on his application and that he had purchased his supporting documents for \$250.00.

On appeal, the applicant has not recanted his admission. He also has not claimed any other qualifying employment.

In order to be eligible for temporary resident status, an alien must have engaged in qualifying agricultural employment for at least 90 man-days during the twelve-month period ending May 1, 1986. In this case, the applicant has admitted that he did not perform the requisite employment during the qualifying period, although he has claimed employment outside the qualifying period planting avocado and fruit trees during 1981 and 1982 in Fallbrook, California. As the applicant has not demonstrated eligibility for the benefit sought, the appeal must be dismissed.

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