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



U.S. Citizenship
and Immigration
Services

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FILE:



XES 88 123 01027

Office: TEXAS SERVICE CENTER Date: SEP 05 2006

IN RE:

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. 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 black ink, appearing to read "R. P. Wiemann".

Robert P. Wiemann, Chief
Administrative Appeals Office

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DISCUSSION: The application for temporary resident status as a special agricultural worker was denied by the Director, Western Service Center, reopened, and denied again by the Director, Texas Service Center. The matter is now before the Administrative Appeals Office on appeal. The appeal will be summarily dismissed.

The director denied the application for lack of prosecution because the applicant failed to appear for the required interview regarding his Application for Temporary Residence as a Special Agricultural Worker.

Neither counsel nor the applicant has addressed the director's subsequent Notice of Decision or provided any evidence to overcome the director's findings.

The regulation at 8 C.F.R § 210.2(c)(2)(iv), requires each applicant who filed an application in the United States, regardless of age, "must appear at the appropriate Service legalization office and must be fingerprinted... Each applicant shall be interviewed by an immigration officer, except that the interview may be waived when it is impractical because of the health of the applicant."

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 has 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.