

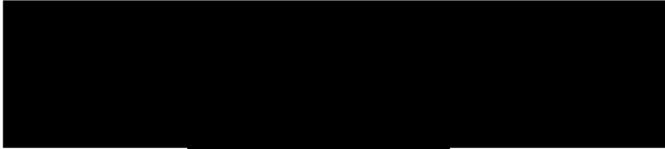


U.S. Citizenship
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FILE: [REDACTED]
XPD 88 178 1073

Office: NEBRASKA SERVICE CENTER

Date: JUL 03 2007

IN RE: Applicant: [REDACTED]

APPLICATION: Application for Temporary Resident Status under Section 210 of the Immigration and Nationality Act, as amended, 8 U.S.C. § 1160

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. 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 as a special agricultural worker was denied by the Director, Northern Regional Processing Facility. The Chief of the Legalization Appeals Unit (LAU), remanded the case for further action. The application was subsequently denied again by the Director, Nebraska Service Center, and the matter is now before the Administrative Appeals Office (AAO) on appeal. The appeal will be summarily dismissed.

The director initially denied the application because the applicant failed to establish the performance of at least 90 man-days of qualifying agricultural employment during the eligibility period. This decision was based on adverse information relating to the applicant's claim of employment for [REDACTED] and [REDACTED].

On appeal, the applicant submitted additional evidence indicating that he worked for [REDACTED] performing 109 man-days of qualifying agricultural work at various farms during the statutory period. The Chief of the LAU determined that that the applicant had established that he performed the requisite qualifying agricultural employment and remanded the case for completion of the adjudication of the application.

The director denied the application again on August 2, 2006, because the applicant failed to appear for his fingerprint appointment on June 9, 2005, as scheduled. The director informed the applicant that his previous appeal was still in effect and granted the applicant 30 days to submit a brief or additional evidence to supplement his appeal. To date, the applicant has not submitted a brief or additional evidence in support of his appeal.

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.

A review of the decision reveals the director accurately set forth a legitimate basis for denial of the application. The applicant has not presented additional evidence. Nor has he addressed the grounds stated for denial. The appeal must therefore be summarily dismissed.

It is noted that the applicant was removed from the United States to Mexico on June 13, 1999.

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