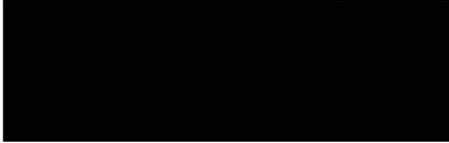




U.S. Citizenship
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invasion of personal privacy



LI

FILE: [REDACTED]
XSF 88 561 02054

Office: CALIFORNIA SERVICE CENTER

Date: MAR 19 2007

IN RE: Applicant: [REDACTED]

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: 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.

Robert P. Wiemann, Chief
Administrative Appeals Office

DISCUSSION: The application for temporary resident status as a special agricultural worker was denied by the Director, Western Service Center. The case was remanded by the Legalization Appeals Unit (LAU), now the Administrative Appeals Office (AAO). The matter is now before the AAO on appeal. The appeal will be summarily dismissed.

The director 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 ending May 1, 1986. This determination was based on adverse information regarding the applicant's claim of employment for Roy Perez.

On August 10, 1999, the case was remanded by the LAU in order to allow the director the opportunity to include the Form I-694, Notice of Appeal in the record of proceedings. On September 18, 2006, the Director, California Service Center sent a notice informing the applicant that his original Form I-694 filed on March 5, 1993 was not contained in the record. The applicant was directed to submit a duplicate copy of his Form I-694, and was provided with copies of Form I-694 in the event he did not retain a copy of his original appeal. The applicant was provided 30 days in which to submit the requested documentation.

The applicant, however, has not responded to the director's notice. Accordingly, on November 16, 2006, the case was forwarded to the AAO for review.

In order to be eligible for temporary resident status as a special agricultural worker, an alien must have engaged in qualifying agricultural employment for at least 90 man-days during the twelve-month period ending May 1, 1986, and must be otherwise admissible under section 210(c) of the Immigration and Nationality Act and not ineligible under 8 C.F.R. § 210.3(d). 8 C.F.R. § 210.3(a). An applicant has the burden of proving the above by a preponderance of the evidence. 8 C.F.R. § 210.3(b).

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.