



U.S. Citizenship
and Immigration
Services

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FILE:

XSK 88 227 01011

Office: CALIFORNIA SERVICE CENTER

Date: MAY 10 2007

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:

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 is before the Administrative Appeals Office (AAO) on appeal. The appeal will be rejected and the case returned to the director for further action.

The regulation at 8 C.F.R. 103.3(a)(3)(i) states in, pertinent part, whenever an application for temporary resident status is denied, the alien shall be given written notice setting forth the specific reasons for the denial on Form I-692.

The record of proceeding does not contain a Notice of Decision. Likewise, a review of Citizenship and Immigration Services records and indices do not indicate that a final decision had been rendered in this case. Accordingly, there is no appeal before the AAO.

It is noted that the director asked the applicant to submit arrest and court records but the applicant failed to comply. For that reason alone, the director can deny the application due to abandonment. There is no appeal of a decision denying the application due to abandonment.

ORDER: The appeal is rejected.