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U.S. Citizenship
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FILE: [REDACTED]
XPH 88 174 2010

Office: CALIFORNIA SERVICE CENTER

Date: **NOV 20 2007**

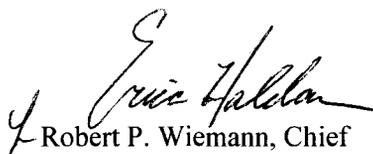
IN RE: Applicant: [REDACTED]

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. 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 applicant's temporary resident status as a special agricultural worker was terminated by the Director of the Western Service Center, now the California Service Center. The director subsequently reopened the matter and terminated the applicant's temporary resident status again, and the matter is now before the Administrative Appeals Office (AAO) on appeal. The appeal will be summarily dismissed.

The director terminated the applicant's temporary resident status as a special agricultural worker because the applicant had been convicted of a felony. Specifically, the applicant was convicted of aggravated driving under the influence of intoxicating liquor while his driver's license was suspended, cancelled, revoked, or refused, a Class 5 felony, in violation of A.R.S. § 28-692(A)(1), 692.02(A)(1), now renumbered as AR § 28-697(A)(1), 444, 445, 448, 13-603(A), 701, 702, 801, 812, 813, 36-2219 and 41-2415. Count 2, threatening or intimidating, a Class 1 misdemeanor, was dismissed. (Date of Offense: July 20, 1992; Case Number [REDACTED])

The director informed the applicant that his original appeal, filed on November 16, 1992, was still in effect and granted him 30 days to submit evidence to overcome the basis for the termination of his temporary resident status. The Notice of Termination was mailed to the applicant at his most current address, but was returned to Citizenship and Immigration Services as unclaimed mail.

The applicant, to date, has not provided CIS with a current address, nor has he responded to the Notice of Termination dated June 26, 2007.

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. On appeal, the applicant has not presented additional evidence. Nor has he addressed the grounds stated for denial. The appeal must therefore be summarily dismissed.

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