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U.S. Citizenship  
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41

FILE: [REDACTED]  
XBI-89-017-3078

Office: NEBRASKA SERVICE CENTER

Date: **MAY 05 2008**

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:

[REDACTED]

INSTRUCTIONS:

This is the decision of the Administrative Appeals Office in your case. If your appeal was dismissed or rejected, all documents have been returned to the National Benefits Center. 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. If your appeal was sustained or remanded for further action, you will be contacted.

Robert P. Wiemann, Chief  
Administrative Appeals Office

**DISCUSSION:** The Application for Temporary Status as a Special Agricultural Worker was denied by the Director, Northern Service Center, on June 5, 1991. The decision is now before the Administrative Appeal Office (AAO) on appeal. The appeal will be 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 the [REDACTED]

The denial notice was sent to the applicant at her last address of record via certified mail. The United States Postal Service returned this notice to the director as unclaimed. On March 10, 1992, the applicant filed her Form I-694, Notice of Appeal. The applicant's statement on appeal is mostly unintelligible, but appears to relate to her failure to receive the decision. On March 19, 1992, the director sent a letter to the applicant informing her that the Service Center received her notice of appeal with a request for a copy of the denial notice. The director indicated that he would send the applicant a copy of the denial notice and grant her 30 days to submit additional evidence in support of her appeal. On March 30, 1992, the director received a letter from the applicant indicating that she never received a copy of the denial notice. The applicant requested another copy of the denial notice and indicated that she would "appeal within 30 days." The record shows that on June 9, 1992, the Service Center resent the denial notice to the applicant. As of the date of this decision, the applicant has not submitted a brief or any additional evidence in support of her appeal.

As stated in 8 C.F.R. § 103.3(a)(3)(iv), any appeal that fails to state the reason for appeal, or is patently frivolous, will be summarily dismissed.

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

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