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U.S. Citizenship
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FILE:

[REDACTED]
XYA-88-214-01015

Office: NEBRASKA SERVICE CENTER

Date: **MAY 19 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: SELF-REPRESENTED

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 Records 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.

A handwritten signature in black ink, appearing to read "R. Wiemann", written over a circular stamp or mark.

Robert P. Wiemann, Chief
Administrative Appeals Office

DISCUSSION: The application for Temporary Status as a Special Agricultural Worker was denied by the Director, Lincoln, Nebraska Regional Processing Center. The applicant appealed the decision to the Administrative Appeals Office (AAO). The decision is now before the AAO on appeal. The appeal will be dismissed.

The director denied the application because he found that the available adverse evidence outweighed the evidence presented by the applicant. Therefore, the director found that the applicant had failed to prove 90 man-days of qualifying employment during the requisite period as a matter of just and reasonable inference.

On appeal, the applicant provided a statement written in the Spanish language only. The regulations at 8 C.F.R. § 103.2(b)(3) state that any document containing foreign language submitted to the Immigration and Naturalization Service, currently Citizenship and Immigration Services (CIS), shall be accompanied by a full English language translation that the translator has certified as complete and accurate, and by the translator's certification that he or she is competent to translate from the foreign language into English. As no translation is provided, the applicant's foreign language statements on appeal may not be considered as evidence in this matter.

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 in a format that may be considered by CIS. The appeal must therefore be summarily dismissed.

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