



U.S. Citizenship
and Immigration
Services

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FILE: [Redacted] Office: CALIFORNIA SERVICE CENTER

Date: OCT 12 2004

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, Director
Administrative Appeals Office

**identifying data deleted to
prevent clearly unwarranted
invasion of personal privacy**

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DISCUSSION: The termination of temporary resident status by the Director, Western Service Center, is now before the Administrative Appeals Office on appeal. The appeal will be dismissed.

The applicant appears to be represented; however, no Form G-28, Notice of Entry of Appearance as Attorney or Representative, has been submitted. Therefore, this decision will be sent to the applicant only.

The director terminated the applicant's status because the applicant failed to provide a criminal disposition, thereby precluding the director from finding that the applicant had been eligible for status.

On appeal, the applicant stated that the termination notice was vague. He requested a copy of the record, and reserved the right to supplement the record with further reasons for appeal. Although a copy of the record of proceedings was sent to the applicant on May 8, 2004, nothing further has been received from the applicant.

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 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 specific reason stated for termination 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.