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U.S. Citizenship  
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FILE:

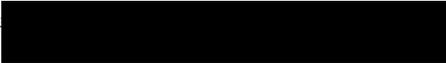


Office: Nebraska Service Center

Date: **AUG 26 2005**

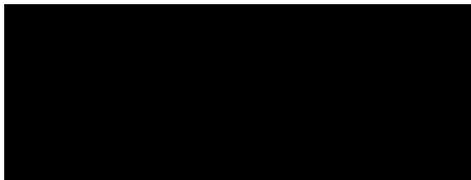
IN RE:

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:



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

**DISCUSSION:** The application for temporary resident status was denied by the Director, Northern Regional Processing Facility. A subsequent appeal was dismissed by the Director, Legalization Appeals Unit. The applicant has now filed another appeal to the Administrative Appeals Office. The appeal will be rejected.

Section 210(e)(2) of the Act, 8 U.S.C. § 1160(e)(2) states the Attorney General shall establish an appellate authority to provide for a *single* level of administrative appellate review of a determination respecting an application for adjustment of status in the legalization (special agricultural worker) program. That appellate authority, the Administrative Appeals Office, formerly Legalization Appeals Unit, already conducted its appellate review of this matter and dismissed the appeal. There is no basis upon which the applicant may simply file another appeal.

Furthermore, pursuant to 8 C.F.R. § 210.2(g), motions to reopen a special agricultural worker proceeding or reconsider a decision shall not be considered.

**ORDER:** The appeal is rejected.