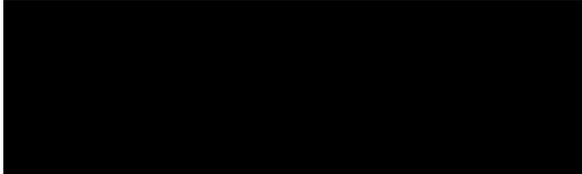


identifying data deleted to  
prevent clearly unwarranted  
invasion of personal privacy

U.S. Department of Homeland Security  
20 Mass. Ave., N.W., Rm. A3042.  
Washington, DC 20529



U.S. Citizenship  
and Immigration  
Services



24

FILE:



Office: CALIFORNIA SERVICE CENTER

Date:

JAN 21 2015

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:

Self-represented

PUBLIC COPY

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 as a special agricultural worker was denied by the Director, Western Service Center. It is now before the Administrative Appeals Office on appeal. The appeal will be dismissed.

The director denied the application for lack of prosecution because the applicant failed to appear for the required interview regarding his Application for Temporary Residence as a Special Agricultural Worker.

On appeal, the applicant explained why he was unable to attend the interview. The director then reopened the matter, and had the applicant scheduled for another interview. However, the applicant failed to report for that scheduled interview as well, and has not responded further.

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).

Pursuant to 8 C.F.R. § 210.2(c)(2)(iv), each alien who filed his application in the United States, regardless of age, must appear at the appropriate Immigration and Naturalization Service (the Service) office and must be fingerprinted. Each applicant shall be interviewed by an immigration officer, except that the interview may be waived when it is impractical because of the health of the applicant.

The applicant was scheduled for his interview on December 5, 1988. However, he failed to appear for the interview. The applicant was subsequently notified in writing on January 23, 1989 that he was scheduled for February 6, 1989. He once again failed to appear. Accordingly, the director denied the application on August 20, 1991, as the applicant had failed to present himself for his required interview. Subsequent to the filing of this appeal, the applicant was advised to appear on February 14, 1992 for the interview. He again failed to appear.

The applicant was provided with three opportunities to appear for his interview. He has failed to comply with Service requirements. Therefore, the applicant is ineligible for temporary resident status as a special agricultural worker.

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