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**U.S. Citizenship  
and Immigration  
Services**

L4



FILE:



Office: CALIFORNIA SERVICE CENTER

Date: **OCT 19 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:

SELF-REPRESENTED

**INSTRUCTIONS:**

This is the decision of the Administrative Appeals Office in your case. The file has been returned to the service center that processed 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, and is now before the Administrative Appeals Office (AAO) on appeal. The appeal will be dismissed.

The director denied the application for lack of prosecution because the applicant failed to appear for the scheduled legalization interview and file a completed application.

The record indicates that, at the time the preliminary application was presented, the applicant failed to submit a Form I-700 application, a completed medical examination along with a Fingerprint Card, Form FD-258 and the prescribed number of photographs. 8 C.F.R. § 210.1(d). The applicant has not submitted these documents on appeal.

The applicant was permitted several opportunities to submit a complete application; however, he failed to submit all the necessary documents, namely a Form I-700 application, a completed medical examination form and a fingerprint card. Thus, he failed to submit a complete application. The applicant has failed to meet the statutory requirements for eligibility as a special agricultural worker and is, therefore, ineligible for temporary resident status.

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