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U.S. Department of Homeland Security  
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Washington, DC 20529



U.S. Citizenship  
and Immigration  
Services

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FILE:

XKA-88-158-02004

Office: NEBRASKA SERVICE CENTER

Date JUN 25 2008

IN RE:

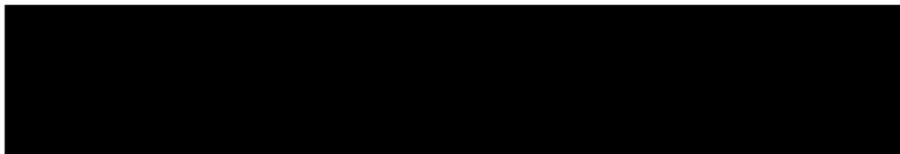
Applicant:



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. 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.

Robert P. Wiemann, Chief  
Administrative Appeals Office

**DISCUSSION:** The application for temporary resident status as a special agricultural worker (the SAW program), was denied by the Director, Regional Processing Facility, Lincoln, Nebraska, and is now before the Administrative Appeals Office (AAO) on appeal. The appeal will be dismissed.

The director denied the application because he found that the applicant had failed to establish as a matter of just and reasonable inference that he performed 90 man-days of qualifying agricultural labor from May 1, 1985 to May 1, 1986. Specifically, the director noted that the two affiants who attested to the applicant's qualifying employment were not employed by the alleged employer during the requisite period.

On appeal, the applicant stated that he went to the immigration office in El Paso, Texas and was told that his application under the SAW program was denied in March 1991. The applicant stated that he never received a letter informing him of the denial of the application. The applicant requested that he be provided with a copy of the denial notice. On May 14, 2008, the AAO issued a copy of the director's decision to the applicant's address of record and provided the applicant with 30 days in which to submit additional documentation in support of his appeal. More than 30 days have passed since the copy of the decision was issued, and the applicant has failed to respond. Therefore, the record will be considered complete. The applicant provided no additional evidence or explanation to overcome the reasons for denial of his application.

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 that 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. The appeal must therefore be summarily dismissed.

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