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U.S. Citizenship
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Services

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FILE:

LIN 05 238 51286

Office: NEBRASKA SERVICE CENTER

Date: **SEP 28 2007**

IN RE:

Applicant:



APPLICATION:

Application for Waiver of Inadmissibility pursuant to either Section 210 Or
Section 245A of the Immigration and Nationality Act, as amended, 8 U.S.C.
§ 1255a.

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 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, Chief
Administrative Appeals Office

DISCUSSION: The application for waiver of inadmissibility within the legalization program (Form I-690) was denied by the Director, Nebraska Service Center and is now before the Administrative Appeals Office (AAO) on appeal. The appeal will be dismissed.

The director determined that the applicant was not eligible for membership in the legalization class-action lawsuit *Proyecto San Pablo v. INS*, No. Civ [REDACTED]. The decision in that case applies to aliens whose application for temporary residence under section 245A of the Immigration and Nationality Act (Act) was denied or whose temporary resident status under section 245A of the Act was terminated as a result of that alien having been outside of the United States after January 1, 1982 under an order of deportation. The director denied the Form I-690 waiver application because the applicant applied for and been denied temporary residence under section 210 of the Act rather than section 245A of the Act, such denial had not been based upon the applicant having been deported from the United States, and no known grounds of inadmissibility applied to the applicant.

On appeal, the applicant reaffirms his claim of more than ninety days of qualifying agricultural employment during that period from May 1, 1985 to May 1, 1986.

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 the director accurately set forth a legitimate basis for denial of the Form I-690 waiver application. On appeal, the applicant has not presented any new evidence. Nor has he specifically addressed the basis for denial. The appeal must therefore be summarily dismissed.

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