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FILE:



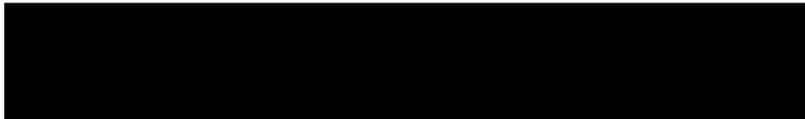
Office: CALIFORNIA SERVICE CENTER

Date:

XEC 88 086 00133

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. All documents have been returned to the office that originally decided your case. Any further inquiry must be made to that office.

  
Robert P. Wiemann, Chief  
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 rejected.

On June 19, 1992, the director denied the application because the applicant failed to establish the performance of at least 90 man-days of qualifying agricultural employment during the twelve-month eligibility period. This decision was based on adverse information regarding the applicant's claim of employment for [REDACTED] at [REDACTED].

The record reflects that in response to the Notice of Intent to Deny issued on April 27, 1992, the applicant filed a Form I-694, Notice of Appeal, which was received on May 26, 1992. However, at the time the appeal was filed, a Notice of Decision had not been issued by the director. As such, there was no issue before the AAO as of the date of the appeal. 8 C.F.R. § 103.3.

**ORDER:** The appeal is rejected as untimely filed.