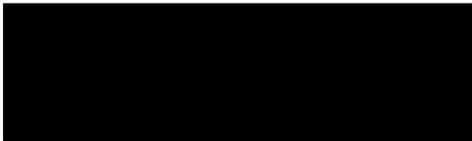


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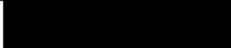


U.S. Citizenship
and Immigration
Services

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FILE: 
XYA 88 157 1022

Office: NEBRASKA SERVICE CENTER

Date: NOV 01 2007

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. § 11160

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. If your appeal was sustained, or if your case was remanded for further action, you will be contacted. If your appeal was dismissed or rejected, 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 temporary resident status as a special agricultural worker was denied by the Director, Northern Regional Processing Facility, and is now before the Administrative Appeals Office (AAO) on appeal. The appeal will be summarily dismissed.

The director denied the application on October 22, 1991, because the applicant failed to establish the performance of at least 90 man-days of qualifying agricultural employment during the eligibility period. This decision was based on adverse information regarding the applicant's claim of employment for Anna Wickersham.

On appeal, the applicant states that he never received the denial decision.

The Notice of Denial was mailed to the applicant's most current address, but was returned to the Northern Regional Processing Facility as unclaimed mail. The applicant did not report another change of address to the Immigration and Naturalization Service (the Service), now Citizenship and Immigration Services (CIS), until November 14, 1991. Therefore, the applicant's failure to receive the denial decision is not due to error on the part of the Service.

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. The applicant has failed to address the basis for the final denial and has not provided any additional evidence on appeal regarding that issue. The appeal must therefore be summarily dismissed.

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