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U.S. Department of Homeland Security  
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Washington, DC 20529 - 2090



U.S. Citizenship  
and Immigration  
Services



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FILE: [REDACTED] Office: CALIFORNIA SERVICE CENTER Date: **MAR 05 2009**  
XHP 88 523 1042

IN RE: Applicant: [REDACTED]

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. If your appeal was dismissed or rejected, all documents have been returned to the National Benefits 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.

A handwritten signature in black ink, appearing to read "John F. Grissom".

John F. Grissom, Acting 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). The appeal will be dismissed.

In a decision dated February 19, 1992, the director denied the application for Group 2 status because the applicant failed to establish the performance of at least 90 man-days of qualifying agricultural employment during the 12-month period ending on May 1, 1986. This determination was based on adverse information regarding the applicant's claim of employment for [REDACTED] and Nursery.

On appeal, the applicant requested a copy of the record of proceeding. She indicated that after she received a copy of the record, she would submit a full statement of the reasons for her appeal and a brief.

The record reflects that on August 15, 2007, the director wrote the applicant to inquire as to whether she still wanted a copy of the record of proceedings. The applicant did not respond to the query, nor has she submitted any further documentation into the record or responded to the issues raised in the notice of decision.

In order to be eligible for temporary resident status as a special agricultural worker, an alien must have engaged in qualifying agricultural employment for at least 90 man-days during the twelve-month period ending May 1, 1986, and must be otherwise admissible under section 210(c) of the Act and not ineligible under 8 C.F.R. § 210.3(d). 8 C.F.R. § 210.3(a). An applicant has the burden of proving the above by a preponderance of the evidence. 8 C.F.R. § 210.3(b).

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 record reflects that the director mailed a courtesy copy of the decision to the applicant at his last known address. The applicant has failed to address the reasons stated for denial and has not provided any additional evidence on appeal. The appeal must therefore be summarily dismissed.

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