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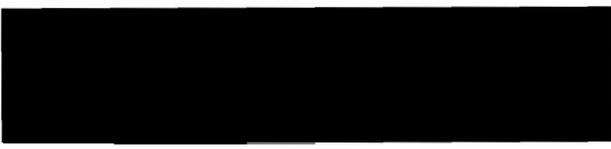
U.S. Department of Homeland Security  
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U.S. Citizenship  
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FILE: [Redacted]  
XBA 89 048 3147

Office: California Service Center

Date: JAN 09 2007

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. 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, Western Regional Processing Facility. The matter was remanded by the Administrative Appeals Office (AAO). The application was then denied by the Director, California Service Center, and is now before the AAO on appeal. The appeal will be dismissed.

The facility director denied the application for Group 1 status because the applicant failed to establish the performance of at least 90 man-days of qualifying agricultural employment during each of the 12-month periods ending May 1, 1984, May 1, 1985 and May 1, 1986. The applicant did not contest that finding on appeal.

The center director finally denied the application because the applicant also failed to demonstrate the performance of at least 90 days of employment during the Group 2 12-month period ending May 1, 1986. This determination was based on adverse information regarding the applicant's claim of employment for [REDACTED]. The applicant has not responded to the center director's 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 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.