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**U.S. Citizenship
and Immigration
Services**

**Non-Precedent Decision of the
Administrative Appeals Office**

MATTER OF C-S-A-

DATE: DEC. 22, 2015

APPEAL OF WESTERN (CALIFORNIA) SERVICE CENTER DECISION

APPLICATION: FORM I-700, APPLICATION FOR TEMPORARY RESIDENT STATUS AS
A SPECIAL AGRICULTURAL WORKER

The Applicant, a native and citizen of Mexico, seeks status as a temporary resident. *See* Immigration and Nationality Act (the Act) § 210, 8 U.S.C. § 1160. The Director, Western (now California) Service Center, denied the application. The matter is now before us on appeal. The appeal will be dismissed.

The Director denied the application because the Applicant did not establish that she had performed at least 90 man-days of qualifying agricultural employment during the eligibility period.

On appeal, the Applicant asserts that she disagrees with the Director's decision to deny the application based on adverse information. She states on the Form I-694, Notice of Appeal of Decision under Section 210 or 245A of the Immigration and Nationality Act, that she would file a brief within 30 days after receipt of documentation in response to her request under the Freedom of Information Act (FOIA). The Applicant's request for a copy of the record of proceedings was processed on March 22, 1993. The record, however, does not reflect the Applicant's submission of a brief or additional evidence since 1993. It will therefore be considered as complete as of the date of this decision.

In order to be eligible for temporary resident status as a special agricultural worker, an individual must have engaged in qualifying agricultural employment for at least 90 man-days during the 12-month period ending May 1, 1986, provided she is otherwise admissible under the provisions of section 210(c) of the Act and is 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)(1).

On her Form I-700 application, the Applicant claimed to have performed the following employment: 90 days thinning and weeding lettuce between May 1, 1985, and January 1, 1986, for [REDACTED] at [REDACTED] in [REDACTED] Arizona.

In support of the application, the Applicant signed and submitted a Form I-705 affidavit confirming seasonal agricultural employment, signed by [REDACTED] and an employment verification letter

(b)(6)

Matter of C-S-A-

also signed by [REDACTED] indicating that she worked 90 man-days thinning and weeding lettuce between May 1, 1985, and May 1, 1986.

In a notice of intent to deny, the Director informed the Applicant that she did not establish that she had worked at least 90 man-days during the 12-month period ending May 1, 1986. The Director notified the Applicant of adverse information in the record, namely that on July 14, 1988, [REDACTED] admitted to special agents that he signed fraudulent Forms I-705 and employment verification letters as an affiant of the non-existent [REDACTED]

On appeal, the Applicant provides no reasons to overcome the Director's denial decision and does not submit additional evidence.

Any appeal that fails to state the reason for appeal or is patently frivolous will be summarily dismissed. 8 C.F.R. § 103.3(a)(3)(iv). A review of the decision reveals that the Director accurately set forth a legitimate basis for denial of the application. On appeal, the Applicant does not present additional evidence and does not address the basis for denial. The appeal must, therefore, be summarily dismissed.

ORDER: The appeal is dismissed.

Cite as *Matter of C-S-A-*, ID# 13715 (AAO Dec. 22, 2015)