

U.S. Department of Homeland Security

Citizenship and Immigration Services

identifying data deleted to  
prevent clearly unwarranted  
invasi... of... privacy

ADMINISTRATIVE APPEALS OFFICE  
CIS, AAO, 20 MASS, 3/F  
425 I STREET, N.W.  
Washington, D.C. 20536

FILE: [REDACTED]

OFFICE: NEBRASKA SERVICE CENTER

DATE: OCT 14 2003

IN RE: Applicant: [REDACTED]

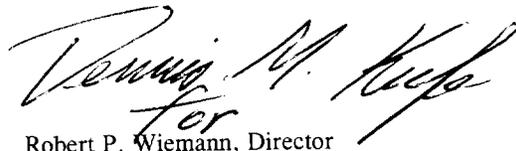
APPLICATION: Application for Status as a Temporary Resident pursuant to Section 210 of the Immigration and Nationality Act, as amended, 8 U.S.C. § 1160

IN BEHALF OF APPLICANT: [REDACTED]

**PUBLIC COPY**

INSTRUCTIONS:

Attached is the decision rendered on your appeal. The file has been returned to the Service Center that processed your case. If your appeal was sustained, or if your case was remanded for further action, the Service Center will contact you. If your appeal was dismissed, 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, Director  
Administrative Appeals Office

**DISCUSSION:** The application for temporary resident status as a special agricultural worker was denied by the District Director, Denver, Colorado. The matter was reopened by the Director, Northern Service Center, and is now before the Administrative Appeals Office on appeal. The matter will be remanded for further consideration and action.

The record does not contain a decision subsequent to the reopening of the case on July 29, 1992. According to 8 C.F.R. § 103.3(a)(3), whenever an application for special agricultural worker status is denied, the alien shall be given written notice setting forth the specific reasons for the denial on Form I-692. It appears that an ensuing decision was prepared, but there is no evidence in the record that it was signed and issued by the center director.

In the motion to reopen, the center director stated that Citizenship and Immigration Services (CIS) contacted the applicant's claimed employer, [REDACTED]. According to the director, [REDACTED] informed CIS that the applicant worked for him, but the work would have only been for 10 man-days at the most. However, the record does not reflect that. Rather, the record contrains evidence that a call was made to Mr. Gorr regarding another applicant.

The matter is remanded for the purpose of a written decision which properly addresses the evidence. Should the decision be adverse, it shall be certified to this office for review.

**ORDER:** The case is remanded for appropriate action and decision consistent with the foregoing.