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U.S. Citizenship  
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Services

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**MAR 23 2005**

FILE:



Office: CALIFORNIA SERVICE CENTER

Date:

IN RE:

Applicant:



APPLICATION:

Application for Adjustment from Temporary to Permanent Resident Status under Section 245A of the Immigration and Nationality Act, as amended, 8 U.S.C. § 1255a

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, 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 adjustment from temporary to permanent resident status was denied by the Director, California Service Center, and is now before the Administrative Appeals Office on appeal. The matter will be remanded.

The director denied the application because the applicant purportedly failed to report for the required interview on two occasions. However, there are no file copies of notices that would have been sent to the applicant, advising him of the scheduled interviews. This raises a serious question as to whether notices were indeed mailed to him.

Furthermore, on this application, dated November 27, 1992, and on an earlier application, the applicant showed his address to be [REDACTED] in Santa Ana. In adjudicating the earlier application the director sent a notice to another address that the applicant does not seem to have reported as his. Thus, it is possible that, *if* the director did indeed send notices to the applicant that advised him of the interview regarding the current application, the notices were sent to a wrong address.

Finally, the record contains a note from an employee at the service center that indicates that it was intended that this matter be reopened, and that the applicant's temporary resident status be reinstated and that he be scheduled for a permanent residence interview. This office concurs with those recommendations.

**ORDER:** The matter is remanded for action and consideration pursuant to the above.