



U.S. Citizenship  
and Immigration  
Services

**PUBLIC COPY**

**Identifying data deleted to  
prevent clearly unwarranted  
invasion of personal privacy**



LI

FILE:



Office: CALIFORNIA SERVICE CENTER

Date: **SEP 27 2005**

IN RE:

Applicant:



APPLICATION: Application for Temporary 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. Wemmann, Director  
Administrative Appeals Office

**DISCUSSION:** The application for temporary resident status (legalization) was denied by the Director, Western Service Center, and is now before the Administrative Appeals Office on appeal. The matter will be remanded to the Director, California Service Center for further action and consideration.

The director denied the application because the applicant failed to report for the required interview and failed to submit supporting documentation. On appeal, the applicant submitted the missing documentation, and expressed a desire to be interviewed. The local legalization office in San Francisco reopened the matter when it later called the applicant in for a legalization interview. He reported to that office for the interview, was interviewed, and was advised to submit a document that would resolve a criminal matter. He did so.

As this matter was reopened subsequent to the denial, and the applicant overcame the basis for denial, a new decision must be entered. The Director, California Service Center shall render a new decision which, if adverse, shall be certified to this office.

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