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U.S. Department of Homeland Security
20 Mass. Ave., N.W., Rm. 3000
Washington, DC 20529



U.S. Citizenship
and Immigration
Services

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[Redacted]

FILE:

[Redacted]

Office: Nebraska Service Center

Date:

OCT 27 2006

IN RE:

Applicant:

[Redacted]

APPLICATION:

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

ON BEHALF OF APPLICANT:

[Redacted]

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 applicant for temporary resident status submitted an appeal, and it is now before the Administrative Appeals Office (AAO). The appeal will be rejected.

The application for temporary resident status (legalization), filed on April 15, 1988, was originally held in abeyance by the Director, Western Regional Processing Facility. On January 11, 1994, the applicant filed this unnecessary appeal, as his application had not been denied. Although a computer record indicates that the director denied the application on March 31, 1989, the computer record is not correct. The director's subsequent letter of January 12, 1996 to the applicant clearly reiterated that his application was still pending.

As the application had not been denied when this appeal was submitted, the appeal must be rejected.

ORDER: The appeal is rejected.