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

LL

[Redacted]

FILE:

XST 89 035 03127

Office: CALIFORNIA SERVICE CENTER

Date: APR 13 2007

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.

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. Any further inquiry must be made to that office.


Robert P. Wiemann, Chief
Administrative Appeals Office

DISCUSSION: The application for temporary resident status as a special agricultural worker was denied by the Director, Western Service Center, and is now before the Administrative Appeals Office (AAO) on appeal. The appeal will be rejected.

The regulation at 8 C.F.R. 103.2(b) states, in part, that an applicant may withdraw an application at any time until a decision is issued by the Service. However, a withdrawal may not be retracted.

On January 9, 1989, counsel for the applicant signed a statement withdrawing the Form I-700 application. The withdrawal of the application was updated in the system on September 10, 1991. The applicant filed an appeal on November 3, 1992. Because the application had been withdrawn, there is no appeal pending before the AAO.

ORDER: The withdrawal of the application remains in force. The appeal is rejected.