

PUBLIC COPY

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

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U.S. Citizenship
and Immigration
Services

LI

March 27, 2007

[Redacted]

MAR 29 2007

RE: [Redacted] /XEM 87 415 4068

Dear [Redacted]

On June 17, 1988, the Director, Western Regional Processing Facility issued a notice of decision denying your application for temporary residence. On July 15, 1988, you filed a timely appeal. The matter was subsequently remanded for further consideration and action by the Legalization Appeals Unit or LAU (now Administrative Appeals Office or AAO) on August 7, 1998. On October 1, 1998, the Director, California Service Center, granted your application for temporary resident status.

The temporary resident status of an alien who has been convicted of a felony or three or more misdemeanors in the United States may be terminated at any time. 8 C.F.R. § 245a.2(u)(1)(iii).

On November 24, 2004, on the basis of a new interpretation of law, the center director issued a Notice of Termination, which terminated your temporary resident status. The case was forwarded to the AAO for review. In this notice, the center director incorrectly advised you that your appeal from the original notice of decision denying your application for temporary residence was still in effect. Because the center director approved your application for temporary resident status on October 1, 1998, there is no pending appeal before this office.

For these reason, your case is being returned to the respective office without any action from this office. The director shall be advised to withdraw his decision and to issue a new Notice of Termination that allows you the opportunity to file a Form I-694, Notice of Appeal with the required fee.

Sincerely,

Robert P. Wiemann, Chief
Administrative Appeals Office

cc: [Redacted]