



U.S. Citizenship
and Immigration
Services



FILE: [REDACTED] Office: CALIFORNIA SERVICE CENTER

Date: DEC 22 2004

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: Self-represented

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

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

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DISCUSSION: The application for temporary resident status as a special agricultural worker was purportedly denied by the Director, Western Regional Processing Facility, and is now before the Administrative Appeals Office on appeal. The matter will be remanded for further consideration and action.

The director recently wrote to the applicant and asked that she provide a copy of her previously-submitted appeal. However, there was a copy of the appeal in the file already, on the non-record side. That matter is resolved.

More importantly, the record does not contain a decision. According to 8 C.F.R. § 103.3(a)(3), whenever an application for temporary resident status is denied, the alien shall be given written notice setting forth the specific reasons for the denial on Form I-692.

The matter is remanded for the purpose of a written decision that fully addresses the evidence. Should the decision be adverse, it shall be certified to this office for review.

ORDER: The matter is remanded for appropriate action and decision consistent with the foregoing.