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Services

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FILE:

Office: CALIFORNIA SERVICE CENTER

Date: **OCT 19 2005**

IN RE:

Applicant:

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

INSTRUCTIONS:

This is the decision of the Administrative Appeals Office in your case. The file has been returned to the service center that processed 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

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 case will be remanded for further consideration and action.

The record does not contain a decision issued subsequent to the reopening of the application. According to 8 C.F.R. 103.3(a)(3), whenever an application for special agricultural worker is denied, the alien shall be given written notice setting forth the specific reasons for the denial on Form I-692.

The case is remanded for the purpose of a written decision which fully addresses the evidence. Should the decision be adverse, the applicant shall be permitted to file an appeal, without fee.

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