U.S. Department of Homeland Security
20 Mass, Rm. A3042, 425 I Street, N.W.
Washington, DC 20529

U.S. Citizenship and Immigration Services

L1

[redacted]

FILE: [redacted] Office: TEXAS SERVICE CENTER Date: [illegible]

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: Self-represented

INSTRUCTIONS:

This is the decision of the Administrative Appeals Office in your case. The file has 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

DISCUSSION: The application for temporary resident status was denied by the Director, Southern Service Center, and is now before the Administrative Appeals Office (AAO) on appeal. The matter will be remanded for further consideration and action.

The applicant appears to be represented; however the record does not contain Form G-28, Notice of Entry of Appearance as Attorney or Representative. All representations will be considered but the decision will be furnished only to the applicant.

While the administrative record does contain multiple copies of the draft of a decision, a review of the record reflects that this notice of denial is unsigned, undated, and contains no indication that it was formally issued to the applicant by the Immigration and Naturalization Service, or the Service (now Citizenship and Immigration Services, or CIS. Furthermore, a review of the electronic record reveals that although the application was denied on June 10, 1992, the case was subsequently reopened by the Service on its own motion on July 25, 1992. The record does not contain a decision subsequent to the reopening of this matter. According to 8 C.F.R. § 103.3(a)(3), whenever a legalization 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 case is remanded in order to complete the adjudication process. Once adjudication of the application is complete, the director shall issue a new written decision that fully addresses the evidence. If the new decision is adverse, it shall be certified to this office.

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