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

U.S. Citizenship and Immigration Services

[redacted]

FILE: [redacted] Office: CALIFORNIA SERVICE CENTER Date: SEP 29 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

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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identifying data deleted to prevent clearly unwarranted invasion of personal privacy

DISCUSSION: The application for temporary resident status as a special agricultural worker was withdrawn by the applicant. It is now before the Administrative Appeals Office on appeal. The appeal will be rejected.

While his application was pending adjudication, the applicant stated in a letter dated November 1, 1991 that he officially withdrew his application for temporary residence. However, on March 25, 1993, he improperly submitted an appeal.

Pursuant to 8 C.F.R. 103.2(b)(6), an applicant may withdraw an application at any time until a decision is issued by the Service (now Citizenship and Immigration Services). That same regulation states that a withdrawal may not be retracted. Therefore, the application remains withdrawn.

ORDER: The appeal is rejected.