U.S. Department of Homeland Security
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Washington, DC 20529

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U.S. Citizenship and Immigration Services

[redacted]

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FILE: [redacted] Office: CALIFORNIA SERVICE CENTER Date: APR 28 2005

IN RE: Applicant: [redacted]

PETITION: 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 the matter 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 on January 21, 1992. According to 8 C.F.R. § 103.3(a)(3), whenever an application for special agricultural worker is to be 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.