



U.S. Citizenship
and Immigration
Services

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LA

FILE: [REDACTED]
XID 88 505 3023

Office: CALIFORNIA SERVICE CENTER

Date: FEB 05 2007

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. All documents have been returned to the office that 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, Chief
Administrative Appeals Office

DISCUSSION: The application for temporary resident status was initially denied by the Director, Western Service Center. The matter was subsequently reopened and denied by the Director, California Service Center. The case is now before the Administrative Appeals Office (AAO) on appeal. The appeal will be dismissed.

The director of the Western Service Center denied the application on December 3, 1991, because the applicant failed to appear for two scheduled interviews. On December 18, 1991, the applicant filed an appeal from the denial decision. On appeal, the applicant admitted that she failed to attend her two scheduled interviews and requested that she be given another opportunity to be interviewed.

On February 18, 1992, the director reopened the case and provided the applicant with another opportunity to be interviewed. The applicant appeared for her interview on December 23, 1992. The interviewing officer noted that the applicant did not provide any of the required documentation to establish her eligibility for temporary resident status. The applicant was granted until January 24, 1992, to submit evidence to establish her continuous residence in the United States since 1981, a notarized letter of employment, and a completed Form I-693, Medical Examination. The applicant did not submit the required documentation.

On September 25, 2004, the Director of the California Service Center reopened the case and requested that the applicant submit evidence to establish continuous residence in the United States since 1981, a notarized employment letter, and a completed Form I-693, Medical Examination. The notice was mailed to the applicant at her most current address, [REDACTED] but was returned to the California Service Center as undeliverable mail.

On January 13, 2005, the director denied the application again because the applicant failed to submit a complete application including proof of continuous residence, proof of financial responsibility, and Form I-693. The director informed the applicant that her appeal was still in effect and granted her 30 days to submit the required documentation. The denial decision was mailed to the applicant at the same address as the notice of intent to deny, but was returned to the California Service Center as undeliverable mail.

An applicant for temporary resident status must present documents establishing proof of identity, proof of residence, and proof of financial responsibility, as well as photographs, a completed Fingerprint Card (Form FD-258), and a fully completed Form I-693 report of medical examination. *See* 8 C.F.R. § 245a.2(d).

In this case, despite numerous requests, the applicant has not submitted any evidence to establish continuous unlawful residence in the United States from prior to January 1, 1982 through May 4, 1988, proof of financial responsibility, and a fully completed Form I-693 report of medical examination.

Consequently it cannot be concluded that the applicant has submitted a complete application as required under 8 C.F.R. § 245a.2(d). The applicant is, therefore, ineligible for temporary resident status under section 245A of the Act on this basis.

ORDER: The appeal is dismissed. This decision constitutes a final notice of ineligibility