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U.S. Department of Homeland Security
20 Mass. Ave., N.W., Rm. 3000
Washington, DC 20529



U.S. Citizenship
and Immigration
Services

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FILE:

MSC-05-251-36950

Office: New York

Date:

JAN 11 2007

IN RE:

Applicant:

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:

DISCUSSION: The application for temporary residence was denied by the District Director, New York. The matter is now before the Administrative Appeals Office on appeal. The appeal will be dismissed.

On August 25, 2006, counsel indicated that he had been directed by the applicant to withdraw the application. Pursuant to the regulation at 8 C.F.R. § 103.2(b)(6), an applicant may withdraw an application at any time until a decision is issued by Citizenship and Immigration Services. As a decision has been issued, the applicant may not withdraw the application. However, counsel's request is construed to be a request to withdraw the appeal.

ORDER: The appeal is dismissed based on its withdrawal by counsel for the applicant.

Robert P. Wiemann, Chief
Administrative Appeals Office