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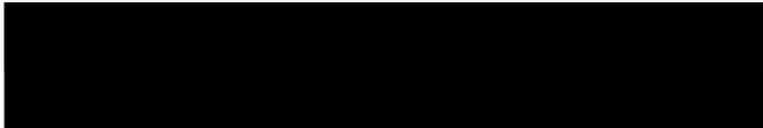
U.S. Department of Homeland Security
U.S. Citizenship and Immigration Services
Office of Administrative Appeals MS 2090
Washington, DC 20529 - 2090



U.S. Citizenship
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JUL 02 2009

FILE: [REDACTED] Office: CALIFORNIA SERVICE CENTER Date:
XNK-88-521-00057

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. If your appeal was dismissed or rejected, all documents have been returned to the National Benefits Center. 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. If your appeal was sustained or remanded for further action, you will be contacted.

John F. Grissom
Acting Chief, Administrative Appeals Office

DISCUSSION: The termination of the applicant's temporary resident status by the director of the Western Service Center is now before the Administrative Appeals Office on appeal. The case will be remanded for further consideration and action.

The director terminated the temporary resident status of the applicant because the applicant failed to submit a document, namely fully completed Medical Examination for Aliens Seeking Adjustment of Status (Form I-693). An applicant for temporary resident status must present documents, among which is included a fully completed Form I-693. See 8 C.F.R. § 245a.2(d).

The record reveals that the applicant's temporary resident status was terminated on September 18, 1992 because the applicant failed to submit a fully completed Form I-693.¹

On appeal, the applicant has submitted a completed Form I-693 for a medical examination of the applicant on August 4, 1993. As the applicant overcame the single documentary deficiency stated by the director, the case should have been reopened at that point and fully adjudicated on its merits.

Accordingly, the case will be remanded for the purpose of a new decision addressing the above. In the event of an adverse decision by the director, the applicant will be permitted to file an appeal without a fee.

ORDER: The case will be remanded for further consideration and action.

¹ A request for evidence had also been made regarding a translation of the applicant's birth certificate. The record contains an English translation of the applicant's birth certificate.