12

U.S. Department of Homeland Security

Bureau of Citizenship and Immigration Services

PUBLIC COPY

ADMINISTRATIVE APPEALS OFFICE

425 Eye Street N.W.
ULLB, 3rd Floor
Washington, D.C. 20536

[redacted]

File: [redacted] Office: ROME, ITALY Date: APR 16 2003

IN RE: Applicant: [redacted]

Application: Application for Travel Document Pursuant to Section 223 of the Immigration and Nationality Act, 8 U.S.C. § 1203

IN BEHALF OF APPLICANT: SELF-REPRESENTED

identifying data deleted to prevent clearly unwarranted invasion of personal privacy

INSTRUCTIONS: This is the decision in your case. All documents have been returned to the office that originally decided your case. Any further inquiry must be made to that office.

DISCUSSION: The waiver application was denied by the District Director, Rome, Italy, and is now before the Administrative Appeals Office (AAO) on motion. The motion will be remanded to the district director for further action.

The regulation at 8 C.F.R. § 103.5(a)(1)(ii) indicates that the official having jurisdiction over a motion is the official who made the latest decision in the proceeding unless the affected party moves to a new jurisdiction. The official who made the latest decision in the instant matter is the district director and the affected party has not moved to a new jurisdiction. Therefore, the motion to reopen and reconsider will be remanded to the district director for action.

ORDER: The motion is remanded to the District Director, Rome, Itlay, for further action in accordance with the foregoing.

Robert P. Wiemann, Director
Administrative Appeals Office