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U.S. Citizenship
and Immigration
Services

M-1



FILE: [Redacted] Office: TEXAS SERVICE CENTER Date: JUL 14 2004
IN RE: Applicant: [Redacted]

APPLICATION: Application for Temporary Protected Status under Section 244 of the Immigration and Nationality Act, 8 U.S.C. § 1254

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. Any further inquiry must be made to that office.

Robert P. Wiemann, Director
Administrative Appeals Office

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prevent clearly unwarranted
invasion of personal privacy

DISCUSSION: The application was denied by the Director, Texas Service Center, and is now before the Administrative Appeals Office (AAO) on appeal. The director's decision will be withdrawn and the matter will be remanded for further action.

The applicant is a native and citizen of Honduras who is seeking Temporary Protected Status (TPS) under section 244 of the Immigration and Nationality Act (the Act), 8 U.S.C. § 1254.

The director denied the application after determining that the applicant had failed to establish that he was eligible for filing after the initial registration period from January 5, 1999, to August 20, 1999.

On June 26, 2003, the director sent the applicant a Notice of Decision, however, the specific reason for the decision is not indicated.

Pursuant to 8 C.F.R. § 103.3(a)(1): "the officer shall explain in writing the specific reasons for denial."

The case is remanded for further consideration and action. The director may request any evidence deemed necessary to assist him with the determination of the applicant's eligibility for TPS. As always in these proceedings, the burden of proof rests solely with the applicant. Section 291 of the Act, 8 U.S.C. 1361.

ORDER: The director's decision is withdrawn. The matter is remanded for further action in accordance with the foregoing and for entry of a new decision, which, if adverse to the applicant, is to be certified to the AAO for review.