

**PUBLIC COPY**



**U.S. Citizenship  
and Immigration  
Services**

Identifying data deleted to  
prevent clearly unwarranted  
invasion of personal privacy

*M*

FILE:

[Redacted]

Office: TEXAS SERVICE CENTER

Date: **11/26/2004**

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.

*Cindia Gomez for*  
Robert P. Wiemann, Director  
Administrative Appeals Office

**DISCUSSION:** The application was denied by the Director, Texas Service Center, and is now before the Administrative Appeals Office (AAO) on appeal. The case will be remanded.

The applicant is stated to be 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. While the director's decision indicates that it is a "**NOTICE OF DECISION TO DENY**," the specific reason for the decision is not indicated. Under 8 C.F.R. § 103.3, "the officer shall explain in writing the specific reasons for denial."

The director, in her notice of decision to deny, dated June 23, 2003, advised the applicant to submit evidence to establish residence and physical presence in the United States during the required timeframes. The director's notice of decision to deny also appeared to be advising the applicant that late registration is allowed if the applicant meets several criteria. The decision provided the applicant with the eligibility criteria required for late registration, and the applicant was advised that she qualified for late registration if she was "in on [sic] the following categories."

The director's decision provides no clear and concise reason for the issuance of the notice of decision to deny the application. Consequently, the case will be remanded for the issuance of a new decision that sets forth the specific reasons for the denial. In addition, the director is to determine if the applicant has met all the requirements under 8 C.F.R. § 244.9(a)(1).

**ORDER:** The director's decision is withdrawn. The case is remanded to the director for further action consistent with the above.