

PUBLIC COPY

**Identifying data deleted to
prevent clearly unwarranted
invasion of personal privacy**



U.S. Citizenship
and Immigration
Services

MI



FILE:

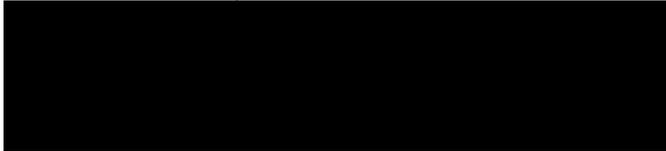


Office: VERMONT SERVICE CENTER

Date: **AUG 02 2005**

IN RE:

Applicant:



APPLICATION:

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

ON BEHALF OF APPLICANT:



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

Robert P. Wiemann, Director
Administrative Appeals Office

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

The applicant is a native and citizen of El Salvador 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 because the applicant failed to overcome the grounds for denial. The director did not state the specific reason for the denial in his decision. Under 8 C.F.R. § 103.3, “the officer shall explain in writing the specific reasons for denial.”

It is noted that on March 31, 2003, the applicant was requested to submit evidence of her eligibility for late initial registration; she submitted that evidence. On June 27, 2003, she was requested to submit evidence of her continuous residence and continuous physical presence in the United States, during the requisite periods. She did not provide that evidence.

The case is remanded for the issuance of a new decision that sets forth the specific reasons for the denial.

An alien applying for temporary protected status has the burden of proving that he or she meets the requirements and is otherwise eligible under the provisions of section 244 of the Act.

ORDER: The case is remanded to the director for entry of a new decision.