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U.S. Citizenship  
and Immigration  
Services

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FILE:  Office: VERMONT SERVICE CENTER Date: **JAN 18 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: 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.

*Ciuden. Gomez fo*  
Robert P. Wiemann, Director  
Administrative Appeals Office

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

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.

The director determined that the applicant had failed to comply to his request to submit the final court dispositions of all criminal charges against him. Therefore, the director denied the application.

The applicant filed an appeal and that appeal is now before the AAO.

On February 12, 2004, the director requested that the case be remanded to the VSC. The director noted that the applicant has now submitted the required dispositions of his felony and multiple misdemeanor convictions, and requested that the case be remanded to him for further processing.

The record reflects the following arrests and/or convictions in New Jersey regarding the applicant:

1. Arrested on September 9, 1996, for possession of marijuana/hashish.
2. Convicted on March 6, 1997, of loitering/disorderly conduct (arrest date February 7, 1997).
3. Convicted on May 7, 1997, of bodily injury (arrest date March 20, 1997).
4. Convicted on October 15, 1997, of bodily injury (arrest date March 20, 1997).
5. Summons/Complaint No. [REDACTED] (type of offense and date not known); however, failed to request the court disposition from Superior Court as instructed by the Municipal Court.
6. Convicted on November 17, 1998, of "disorderly" (arrest date July 31, 1997).
7. Convicted on February 23, 1999, of possession of a controlled dangerous substance (arrest date October 4, 1998).
8. Convicted on April 19, 1999, of possession of burglary tools (arrest date December 27, 1998).
9. Arrested on May 21, 2000, for (1) robbery, and (2) possession of a weapon-unlawful purpose; the record shows he was convicted of unlawful possession of a weapon on May 29, 2001.

Accordingly, the case will be remanded to the director for further processing in accordance with his request.

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 case is remanded to the director for further action.