



U.S. Citizenship  
and Immigration  
Services

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FILE: [REDACTED] OFFICE: VERMONT SERVICE CENTER DATE: NOV 03 2005  
[EAC 02 199 52082]

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*  
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 to the director for further action.

The applicant claims to be 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 record reveals that the applicant filed her application on May 22, 2002. On December 2, 2003, the applicant was requested to submit evidence establishing her qualifying continuous physical presence in the United States from March 9, 2001, to the date of filing the application. The record does not contain a response from the applicant; therefore, the director denied the application on March 26, 2004.

Pursuant to 8 C.F.R. 103.3 (a), when an officer denies an application or petition, the officer shall explain in writing the specific reasons for denial.

The director denied the application because the applicant failed to "submit any evidence you thought would overcome the grounds of denial." The director, however, failed to explain the specific reasons for the denial.

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

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