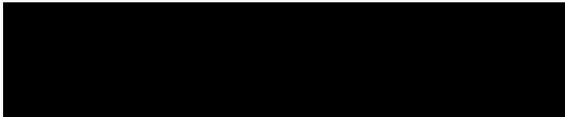


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Services**

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FILE:  Office: VERMONT SERVICE CENTER Date: **NOV 16 2005**
[EAC 02 068 52107]

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, 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.

The applicant is stated to be a 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 on August 19, 2003. The director's decision does not clearly indicate the specific basis for the decision.

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

On January 28, 2004, the director requested that the case be remanded to the VSC. Accordingly, without addressing the merits of the case, the appeal will be remanded for further processing in accordance with that 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ORDER: The director's decision is withdrawn.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 for further consideration and action.