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U.S. Department of Homeland Security
20 Mass. Ave., N.W., Rm. A3042
Washington, DC 20529



U.S. Citizenship
and Immigration
Services

MM



FILE: [REDACTED]
[EAC 02 128 51487]

Office: Vermont Service Center

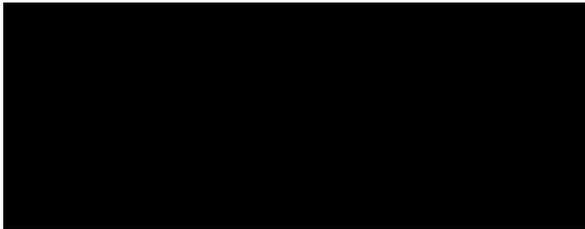
Date: 4/22/15

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.

Cindy N. Gomez for
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 (AAO) on appeal. The case will be remanded.

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.

On July 24, 2003, the director denied an application for re-registration based upon the fact that a previous application for TPS had been denied on April 22, 2003. The director erred in stating that a previous application for TPS had been denied on April 22, 2003. This was, in fact, the notice of intent to deny sent to the applicant, and no previous denial had been issued.

The record reveals that the applicant filed his application on February 19, 2002. On April 22, 2003, the applicant was requested to submit evidence establishing his qualifying continuous residence and continuous physical presence in the United States.

A review of the record of proceedings reflects that counsel responded to the director's request with a letter dated May 21, 2003, indicating that the applicant could not be located after all reasonable efforts and that the applicant did not return to counsel's office, but that counsel was requesting additional time to respond to the notice of intent to deny.

Therefore, the decision of the director is withdrawn, and the case is remanded for the issuance of a new decision.

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 decision of the director is withdrawn, and the case is remanded to the director for entry of a new decision.