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**U.S. Citizenship
and Immigration
Services**

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FILE: [REDACTED]
[EAC 03 259 51464]

Office: VERMONT SERVICE CENTER

Date: **OCT 19 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.

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 (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.

The record reveals that the applicant filed his application on September 17, 2003. On October 29, 2003, the applicant was requested to submit evidence establishing his continuous residence in the United States as of February 13, 2001, and continuous physical presence in the United States since March 9, 2001, to the date of filing his application. The applicant was also requested to submit evidence to establish his eligibility for TPS late registration. The record does not contain a response from the applicant; therefore, the director denied the application on January 8, 2004.

Under 8 C.F.R. § 103.3, "the officer shall explain in writing the specific reasons for denial." While the director's decision states: "your application is denied", the specific reason for the decision is not indicated.

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.