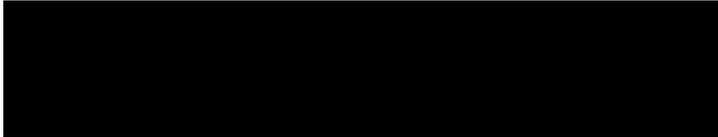


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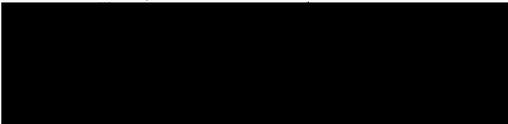
Office: Vermont Service Center

Date: **SEP 26 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:



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.

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 is 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 11, 2002. On July 9, 2003, the applicant was requested to submit evidence establishing his eligibility for TPS late registration. The record does not contain a response from the applicant; therefore, the director denied the application on November 10, 2003. It is noted that the director's July 9, 2003 request was sent to the applicant's last known address at that time of [REDACTED] in Falls Church, Virginia; however, it was returned to the Service as "Attempted - Not Known."

The director denied the application because the applicant had failed to respond to a request for evidence, and therefore, the grounds for denial had not been overcome. However, while the director's decision states: "your application is denied", the specific reason for the denial is not indicated. Under 8 C.F.R. § 103.3, "the officer shall explain in writing the specific reasons for denial."

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

It is noted that along with his TPS application, the applicant had provided a copy of an El Salvadoran government issued birth certificate. However, the applicant did not provide a full English translation of the submitted birth certificate. The applicant also submitted a copy of an El Salvadoran passport bearing the name of [REDACTED]. On his applications for temporary protected status and employment authorizations, the applicant claimed the use of three names: [REDACTED] and [REDACTED]. However, the applicant has not submitted credible evidence to establish the legal use of his claimed aliases. As a matter of consistency, this notice will be addressed to the applicant's name and address indicated by counsel on appeal.

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.