



U.S. Citizenship  
and Immigration  
Services

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[REDACTED]

FILE:

[REDACTED]

Office: Texas Service Center Date: **JAN 05 2006**

[WAC 05 105 78761]

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:

[REDACTED]

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 applicant's annual re-registration for Temporary Protected Status was denied by the Director, Texas Service Center, and the case is now before the Administrative Appeals Office (AAO) on appeal. The director's decision will be withdrawn and the appeal will be sustained.

The applicant is a native and citizen of Honduras who is applying for Temporary Protected Status (TPS) under section 244 of the Immigration and Nationality Act (the Act), 8 U.S.C. § 1254.

The director denied the initial application on June 24, 2004, after determining that the applicant had failed to submit requested evidence regarding her criminal record. At a removal proceeding in Dallas, Texas, the applicant presented evidence that she was not inadmissible or ineligible for TPS based on her criminal record. Consequently, the applicant was granted TPS by the Immigration Judge on November 19, 2004.

The director denied the applicant's subsequent re-registration for Temporary Protected Status (TPS) on July 23, 2005, after erroneously determining that the applicant had not been granted TPS.

In this case, the record clearly reveals that the applicant has been granted TPS. There are no known grounds of ineligibility. Therefore, the director's decision will be withdrawn and the appeal will be sustained.

An alien applying for Temporary Protected Status has the burden of proving that he or she meets the requirements enumerated above and is otherwise eligible under the provisions of section 244 of the Act. The applicant has met this burden.

**ORDER:** The director's decision is withdrawn and the appeal is sustained.