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JUN 02 2006

FILE:



Office: CALIFORNIA SERVICE CENTER

Date:

[WAC 05 083 71843]

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, 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 a TPS application on June 17, 1999 under CIS receipt number EAC 99 208 54116 that was denied by the director, Vermont Service Center on July 26, 2000 due to abandonment. The applicant filed another TPS application on May 24, 2002 under CIS receipt number SRC 02 183 53636 that was approved by the director, Texas Service Center on July 25, 2002.

The applicant filed another TPS application on December 22, 2004 under CIS receipt number WAC 05 083 71843. The director denied this application stating that the applicant, although he indicated that he was re-registering for TPS, was not eligible for TPS because he had not been previously granted TPS.

The case is remanded for the issuance of a new decision that sets forth the reasons for the director's decision based upon an accurate review of the record of proceeding.

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.