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

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JUN 07 2006

FILE:

[REDACTED]
[WAC 05 060 76025]

Office: CALIFORNIA SERVICE CENTER

Date:

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:

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.

A handwritten signature in black ink, appearing to read "R. Wiemann".

Robert P. Wiemann, Chief
Administrative Appeals Office

DISCUSSION: The application was denied by the Director, California Service Center, and is now before the Administrative Appeals Office on appeal. The appeal will be remanded.

The applicant claims to be a citizen of Nicaragua 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 initial TPS application on April 7, 2003 under CIS receipt number SRC 03 131 55159. The Director, Texas Service Center, denied that application on June 25, 2003; however, the director's decision does not clearly indicate the specific basis for the denial. The applicant filed a motion to reopen that was denied by the director on December 8, 2004.

The applicant filed the current Form I-821, Application for Temporary Protected Status, on November 29, 2004, and indicated that he was re-registering for TPS.

The director denied the re-registration application because the applicant's initial TPS application had been denied and the applicant was not eligible to apply for re-registration for TPS.

When an officer denies an application, "the officer shall explain in writing the specific reasons for denial." 8 C.F.R. § 103.3.

It is noted that the applicant failed to provide evidence to establish his identity and nationality.

Therefore, the case will be remanded for the issuance of a new decision that sets forth the specific reasons for the denial of the initial TPS application.

As always in these proceedings, the burden of proof remains solely on 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.