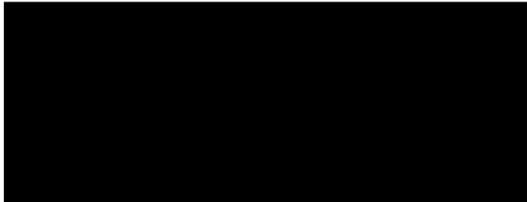




U.S. Citizenship  
and Immigration  
Services

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prevent clearly unwarranted  
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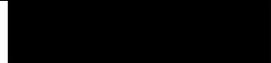


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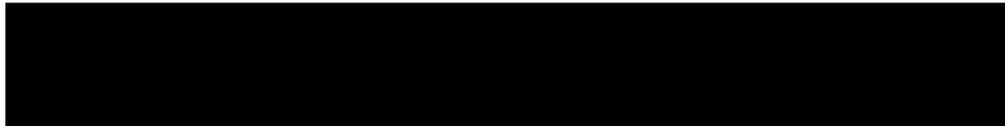
Office: CALIFORNIA SERVICE CENTER

Date:

[WAC 05 099 80465]

IN RE:

Applicant:

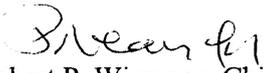


APPLICATION: Application for Temporary Protected Status under Section 244 of the Immigration and Nationality Act, 8 U.S.C. § 1254

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 California Service Center. Any further inquiry must be made to that office.

  
Robert P. Wiemann, Chief  
Administrative Appeals Office

**DISCUSSION:** The initial application was denied by the Director, Texas Service Center (TSC). A subsequent application for re-registration was denied by the Director, California Service Center, and is currently before the Administrative Appeals Office (AAO) on appeal. The case will be remanded for further consideration.

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

The applicant filed an initial application for TPS on June 10, 2002, under receipt number SRC 02 197 55623. The TSC director denied the initial application on September 23, 2003, because the applicant failed to establish her eligibility for TPS late registration. On October 23, 2003, the applicant filed an appeal with the Director (now, Chief) of the AAO. The AAO Chief ordered that the initial application be remanded to the Director, Texas Service Center, for further action. The record fails to reveal any action taken by the Texas Service Center director.

The director's denial of the current application for re-registration or renewal is dependent upon the adjudication of the initial application. Since the initial application was remanded, and no final decision was issued on that initial TPS application, the re-registration must also be remanded to the director.

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 re-registration application is remanded for further action consistent with the TSC director's final decision on the initial application that was previously remanded to the Texas Service Center director.