



U.S. Citizenship  
and Immigration  
Services

identifying data deleted to  
prevent clearly unwarranted  
invasion of personal privacy

**PUBLIC COPY**

M1



FILE: [REDACTED]  
[WAC 05 222 85670]

OFFICE: California Service Center

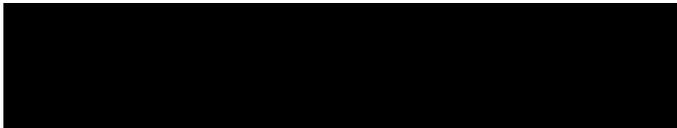
DATE: **AUG 17 2007**

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.

Robert P. Wiegmann, Chief  
Administrative Appeals Office

**DISCUSSION:** The application was denied by the Director, California Service Center (CSC). It is now on appeal before the Administrative Appeals Office (AAO). The case will be remanded.

The applicant is a 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 shows that the applicant filed her initial Form I-821, Application for Temporary Protected Status, on March 8, 2005. On February 5, 2006, the director sent the applicant a notice of intent to deny, in which the applicant was requested to submit evidence that she was eligible for late TPS registration; evidence of her nationality and identity; evidence of her continuous residence in the United States since February 13, 2001, and continuous physical presence in the United States since March 9, 2001; as well as personal photographs. The applicant was advised to submit the requested evidence within 30 days. After the applicant failed to respond to the notice, the director denied the application on May 16, 2006.

While the director's decision states that the applicant "failed to demonstrate eligibility for TPS," the specific reasons for the denial are not indicated. The regulation at 8 C.F.R. § 103.3 provides that "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.

As always in these proceedings, the burden of proof rests solely with the applicant. *See* section 291 of the Act, 8 U.S.C. § 1361.

**ORDER:** The case is remanded to the director for the issuance of a new decision.