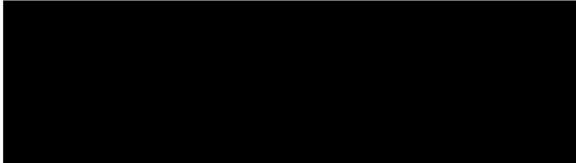




U.S. Citizenship
and Immigration
Services

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prevent clearly unwarranted
invasion of personal privacy



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FILE: [REDACTED] Office: CALIFORNIA SERVICE CENTER
[WAC 05 218 72753 as it relates to WAC 01 197 55834]

Date: AUG 24 2007

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.

Robert P. Wiemann, Chief
Administrative Appeals Office

DISCUSSION: The initial application was denied by the Director, California Service Center. 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 initial application will be reopened, *sua sponte*, by the AAO. The case will be remanded to the director for further action.

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 applicant filed an initial application for TPS under receipt number WAC 01 197 55834. The director denied the initial application on September 25, 2004, after determining that the applicant had abandoned his application because he failed to report for fingerprinting as scheduled.

The applicant states that he did report for fingerprinting as scheduled, but that there was a mix up in his name, that was subsequently corrected by one of the officers on staff. The record reveals that the applicant was fingerprinted and the Federal Bureau of Investigation criminal history printout dated December 26, 2002 and October 5, 2005, does not reflect a criminal record that would bar the applicant from receiving TPS.

Since the applicant appears to have overcome the sole ground for the denial of his initial application for TPS, that decision has been withdrawn and the application was remanded to the director for further adjudication. The director's denial of the current application for re-registration/renewal is dependant upon the adjudication of the initial application; therefore, the current application will also be remanded to the director for further action.

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 director's decision is withdrawn. The case is remanded for appropriate action consistent with the above discussion and entry of a new decision.