



U.S. Citizenship  
and Immigration  
Services

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FILE:  Office: CALIFORNIA SERVICE CENTER  
[WAC 05 198 73271 as is related to SRC 01 197 57059]

Date: JUL 31 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: 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*  
Robert P. Wiemann, Chief  
Administrative Appeals Office

**DISCUSSION:** The initial application was denied by the Director, Texas Service Center. A subsequent application for re-registration was denied by the Director, California Service Center (CSC), and is currently before the Administrative Appeals Office (AAO) on appeal. The initial application will be reopened, *sua sponte*. The appeal will be sustained and the applications will be approved.

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.

On appeal, the applicant asserts her claim of eligibility for TPS.

The applicant filed an initial application for TPS under receipt number SRC 01 197 57059. The Director, Texas Service Center, denied the initial application on January 27, 2004, after determining that the applicant had failed to submit sufficient evidence to establish her continuous residence and continuous physical presence in the United during the requisite time periods.

The applicant filed the current Form I-821, Application for Temporary Protected Status, on April 16, 2005, and indicated that she was re-registering for TPS.

The CSC 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.

The applicant appealed the re-registration denial on September 16, 2005, and submitted supporting evidence.

A review of the record shows that the applicant has submitted sufficient evidence to establish her nationality and citizenship, and her continuous residence and continuous physical presence in the United States. The applicant submitted copies of her photo identification card issued by the State of North Carolina on January 19, 2001, a copy of her El Salvadoran Cedula, tax records, school records, and original receipts, all of which demonstrate her compliance with the citizenship and nationality, and continuous residence and continuous physical presence requirements.

The record of proceedings contains sufficient evidence to establish the applicant's eligibility for TPS and does not reflect any grounds that would bar the applicant from receiving TPS. Therefore, the director's decision will be withdrawn and the initial application will be approved.

The director's denial of the application for re-registration or renewal is dependent upon the adjudication of the initial application. Since the initial application is being approved, the appeal from the denial of the re-registration will be sustained and that application will also be approved.

**ORDER:** The application is reopened and the director's denial of the initial application is withdrawn. The initial application and the re-registration application are both approved. The appeal is sustained.