



U.S. Citizenship  
and Immigration  
Services

**PUBLIC COPY**

**identifying data deleted to  
prevent clearly unwarranted  
invasion of personal privacy**

*MI*



FILE: [REDACTED] OFFICE: California Service Center DATE: JUN 28 2007  
[WAC 05 264 70011]

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 (AAO) on appeal. The case will be remanded.

The applicant claims to be 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.

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

The director denied the application on August 15, 2006; however, the director's decision does not clearly indicate the specific basis for the denial. Therefore, the case will be remanded for the issuance of a new decision that sets forth the specific reasons for the denial.

The AAO would note that the applicant has not established prima facie eligibility because there is no articulation of why the applicant is eligible for late registration, and the record as it is currently constituted does not establish that the applicant has been a resident and continuously present during the required periods.

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.