



U.S. Citizenship  
and Immigration  
Services

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invasion of personal privacy



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FILE:



OFFICE: Vermont Service Center

DATE: MAY 14 2007

[EAC 03 203 52093]

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. Wiemann, Chief  
Administrative Appeals Office

**DISCUSSION:** The application was denied by the Director, Vermont Service Center. It is now on appeal before the Administrative Appeals Office (AAO). 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.

The record shows that the applicant filed his initial Form I-821, Application for Temporary Protected Status, on June 26, 2003. On July 22, 2003, the director sent the applicant a notice of intent to deny, in which the applicant was requested to submit evidence that he was eligible for late TPS registration, in view of the fact that the initial registration period for El Salvadoran nationals had expired on September 9, 2002, as well as evidence that he was a national of El Salvador. The applicant was requested to submit the requested evidence within 30 days. After the applicant failed to respond to the notice, the director denied the application on December 30, 2003.

While the director's decision states that "the grounds for denial have not been overcome," 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.