



U.S. Citizenship
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Services

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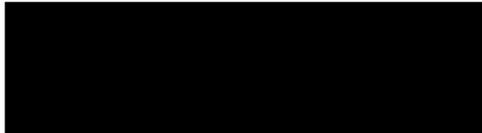
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[WAC 05 189 74480]
[SRC 01 141 54161]
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Office: CALIFORNIA SERVICE CENTER

Date: NOV 29 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 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, Texas Service Center. The applicant filed a second TPS application that was also denied by the Director, Texas Service Center. The initial application and the second application will be reopened, *sua sponte*, by the Chief, Administrative Appeals Office. 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 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.

The applicant filed an initial application for TPS under receipt number SRC 01 141 54161 on March 19, 2001. The Director, Texas Service Center, denied the initial application on June 28, 2002, after determining that the applicant had abandoned his application by not responding to the request for evidence.

The applicant filed a second application for TPS under receipt number SRC 03 051 53374. The Director, Texas Service Center, denied the application on July 9, 2003, after determining that the applicant had abandoned his application by not reporting for fingerprinting as scheduled.

However, the record reveals that the applicant subsequently was fingerprinted and the FBI criminal history printout dated May 1, 2006, does not reflect a criminal record that would bar the applicant from receiving TPS.

It is noted that the applicant has submitted sufficient evidence to establish his qualifying continuous residence and continuous physical presence in the United States during the requisite time periods. The applicant submitted as evidence copies of his personal income tax documents for the 2001 tax year, a photocopy of the applicant's Georgia Driver's License dated 2001, a copy of the applicant's auto insurance liability card dated December 4, 2000 through June 10, 2001, a photocopy of the applicant's El Salvadoran passport dated February 9, 2000 through February 9, 2005, and copies of other identification documents.

The applicant has, thereby, established his continuous residence and continuous physical presence as described in 8 C.F.R. §§ 244.2(b) and (c).

Since the applicant has overcome the grounds for the denial of his applications for TPS, the decisions will be withdrawn. The record of proceedings contains sufficient evidence to establish the applicant's eligibility for TPS and does not reflect any other grounds that would bar the applicant from receiving TPS. Therefore, the initial applications 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 applications are reopened and the director's denial of the initial applications is withdrawn. The initial applications and the re-registration application are all approved.