

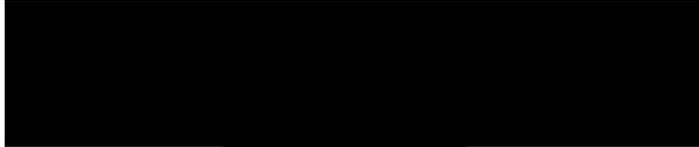


**U.S. Citizenship  
and Immigration  
Services**

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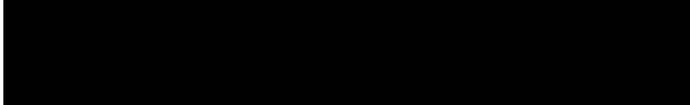
Office: VERMONT SERVICE CENTER

Date: **APR 25 2008**

[WAC 05 15770328 – as it relates to  
EAC 01 206 54885]

INRE:

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 Vermont Service Center. Any further inquiry must be made to that office.

Robert P. Wiemann, Chief  
Administrative Appeals Office

**DISCUSSION:** The application was denied by the Director, California Service Center (CSC), and is now before the Administrative Appeals Office (AAO) on appeal. The case will be remanded.

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 record reflects that the applicant filed an initial Form 1-821, Application for Temporary Protected Status, with the Vermont Service Center (VSC) on June 6, 2001, during the initial registration period (EAC 01 206 54885 relates). The director of the VSC denied the application on January 12, 2004. The director also denied a re-registration application on January 12, 2004, because the applicant's initial TPS application had been denied and the applicant was not eligible for re-registration for TPS. The applicant filed a timely appeal from the denial of the first re-registration application on February 7, 2004.

The applicant filed the current application for re-registration with the CSC on March 6, 2005. The CSC director denied this application also on the basis that the applicant's initial TPS application had been denied and the applicant was not eligible for re-registration.

The VSC director's decision on the initial application has been withdrawn and the case has been remanded to the VSC for further consideration and action. Since the CSC director's denial of the application for re-registration is dependent upon the adjudication of the initial application, and the denial of the initial application has been withdrawn, the current appeal will also be remanded to the director of the VSC for further consideration and action.

As always in these proceedings, the burden of proof rests solely with the applicant. Section 291 of the Act, 8 V.S.c. § 1361.

**ORDER:** The case is remanded.