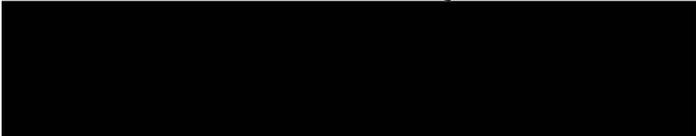




**U.S. Citizenship
and Immigration
Services**

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prevent clearly unwarranted
invasion of personal privacy

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FILE:



Office: CALIFORNIA SERVICE CENTER

Date:

[WAC 05 097 82278]
[EAC 06273 70363]

FEB 262008

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 California Service Center. 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, California Service Center. The initial application was reopened, *sua sponte*, by the Director, Vermont Service Center, and the application was approved. 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 application will be approved.

The applicant is a citizen of Honduras 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 WAC9922851 021 during the initial registration period. The Director, California Service Center, denied that application due to abandonment on February 6, 2001. On October 16, 2007, the Director, Vermont Service Center, reopened the proceedings *sua sponte* and approved that application.

The applicant filed the current TPS application on December 30, 2004, and indicated that it was an initial application. On March 16, 2005, the Director, California Service Center, denied the 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 director's denial of this application is dependent upon the adjudication of the initial application. Since the initial application has been approved, the appeal from the denial of this application will be sustained and will be considered to be a re-registration application and will be also approved.

It is noted that the applicant filed an additional TPS application on June 29, 2006, under receipt number EAC0627370363 and it was denied by the Director, Vermont Service Center, on May 22, 2007. No appeal has been filed; however, since the initial application has been approved, the denial of this application will be withdrawn and the application will also be approved.

The applicant is eligible for employment authorization under 8 C.F.R. § 274a.12(a)(12).

ORDER: The application is reopened and the director's denial is withdrawn. The re-registration application is approved.