



U.S. Citizenship  
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FILE:



[LIN 03 041 50152]

OFFICE: Nebraska Service Center

DATE: JAN 16 2008

INRE:

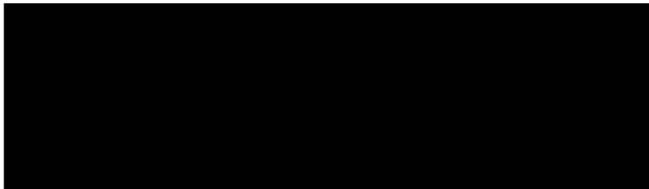
Applicant:



APPLICATION:

Application for Temporary Protected Status under Section 244 of the Immigration and Nationality Act, 8 U.S.C. § 1254

ON BEHALF OF APPLICANT:



INSTRUCTIONS:

This is the decision of the Administrative Appeals Office in your case. All documents have been returned to the Nebraska 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, Nebraska Service Center, and is now before the Administrative Appeals Office (AAO) on appeal. The director's decision will be withdrawn and the case will be remanded for further action.

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 director denied the current application, filed on November 4, 2002, after determining that the applicant had failed to establish eligibility for filing after the closing of the initial registration period for Salvadorans. The applicant, however, did not indicate that the current application was the *initial* Application for Temporary Protected Status. Rather, the applicant indicated that the current application was an annual re-registration and provided the A-number relating to his initial application. The applicant also provided a copy of the Employment Authorization Card that was issued to him in 2001. (Receipt number EAC 01 194 50051.) The record of proceedings confirms that the applicant was granted TPS on July 21, 2004.

The evidence contained in this file does not support the director's decision of denial. Therefore, the case will be remanded. The director shall review all CIS records pertaining to this applicant before a new decision is rendered. As always in these proceedings, the burden of proof rests solely with the applicant. Section 291 of the Act, 8 U.S.c. § 1361.

**ORDER:** The director's decision is withdrawn. The case is remanded for further action.