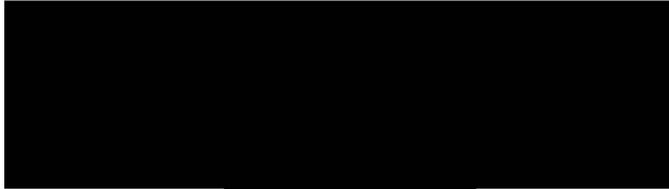


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**U.S. Citizenship
and Immigration
Services**

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FILE: [REDACTED] Office: California Service Center Date: JAN 23 2008
[WAC 05 208 79051 as it relates to SRC 01 173 54762]

INRE: Applicant: [REDACTED]

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.

A handwritten signature in black ink, appearing to read "R. Wiemann".

Robert P. Wiemann, Chief
Administrative Appeals Office

DISCUSSION: The 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 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 reveals that the applicant filed an initial TPS application on April 9, 2001, under CIS receipt number SRC 01 17354762. The Texas Service Center director approved that application on July 31, 2002.

The applicant filed the current Form I-821, Application for Temporary Protected Status, on April 26, 2005 under CIS receipt number WAC 05 20879051, and indicated that she was re-registering for TPS.

The director simultaneously issued a notice of intent to withdraw TPS and denied the re-registration on September 6, 2005. The director noted that the applicant failed to report for scheduled fingerprinting.

However, the record of proceedings reveals that the fingerprints are cleared. Specifically, an FBI fingerprint check conducted in connection with the re-registration application shows no derogatory information. The record contains sufficient evidence to establish the applicant's eligibility for TPS and does not reflect any grounds that would bar the applicant from receiving TPS. The record contains sufficient evidence to establish the applicant's identity and nationality, her continuous residence in the United States since February 13, 2001, and her continuous physical presence since March 9, 2001, to the date of filing her application. In addition, the record of proceedings contains a photo ID in the form of the applicant's El Salvadoran national identification card which bears her fingerprint. Therefore, the director's decision to deny the re-registration application will be withdrawn, and the director's notice of intent to withdraw TPS will also be withdrawn.

The appeal of the denial of the re-registration will be sustained and the application will be approved.

The burden of proof in these proceedings rests solely with the applicant. Section 291 of the Act, 8 U.S.C. § 1361. The applicant has sustained that burden.

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