



U.S. Citizenship  
and Immigration  
Services

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FILE:



Office: VERMONT SERVICE CENTER

Date: JUL 08 2006

[EAC 05 247 51115, appealj

[EAC 05 217 77492]

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

for Robert P. Wiemann, Chief  
Administrative Appeals Office

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

The applicant is a native and 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 a Form I-821, Application for Temporary Protected Status, under receipt number EAC 01 22653693. The director denied that application on May 1, 2003, after determining that the applicant had not met the continuous residence and continuous physical presence requirements for TPS. After review of the record, the **Chief**, AAO, withdrew the director's denial decision and remanded the case for further consideration on January 21, 2005. The director again denied the application on April 20, 2005, again finding the applicant had not met the continuous residence and continuous physical presence requirements for TPS.

The applicant filed the current application, on May 5, 2005, and indicated that he was re-registering for TPS.

The director evidently denied the re-registration application. However, a copy of that determination is not in the record of proceedings.

**ORDER:** The case is remanded to the director for further consideration and action.