

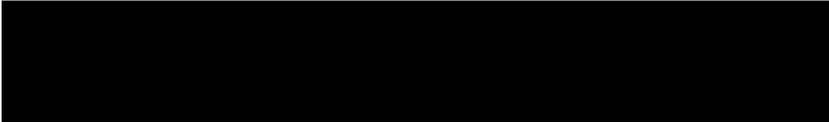
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U.S. Department of Homeland Security  
20 Massachusetts Ave., N.W., Rm. 3000  
Washington, DC 20529

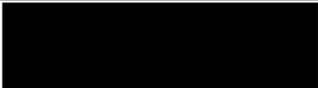


U.S. Citizenship  
and Immigration  
Services

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FILE:



[WAC 05 207 70690]

OFFICE: CALIFORNIA SERVICE CENTER DATE: MAR 12 2008

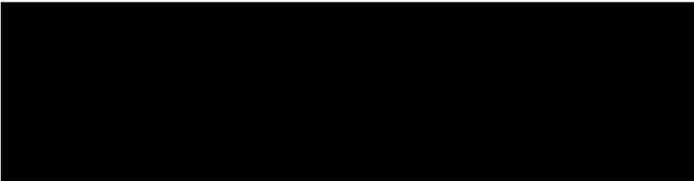
INRE:

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

Robert P. Wiemann, Chief  
Administrative Appeals Office

DISCUSSION: The re-registration application was denied by the Director, California Service Center, and is now 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 EI 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 applicant filed the current Form 1-821, Application for Temporary Protected Status, on February 22, 2005, and indicated that she was re-registering for TPS.

The director denied the re-registration application on August 16, 2005, because the applicant's initial TPS application had been denied on September 15, 2003, and the applicant was not eligible to apply for re-registration for TPS.

If the applicant is filing an application as a re-registration, a previous grant of TPS must have been afforded the applicant, as only those individuals who are granted TPS must register annually. In addition, the applicant must continue to maintain the conditions of eligibility. 8 C.F.R. § 244.17.

The record reveals that the applicant's initial TPS application, filed under receipt number EAC0228951970, was reopened *sua sponte* by the director and on February 24, 2006, the application was approved.

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.

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

Finally, the record reflects that the applicant filed a Form 1-485, Application to Register Permanent Residence or Adjust Status, on June 11, 2007, that has not been adjudicated.

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