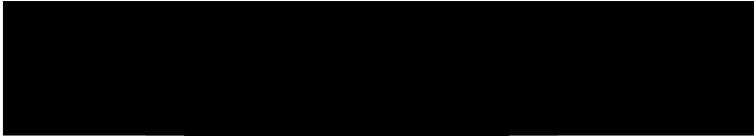




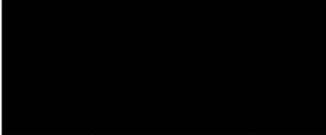
**U.S. Citizenship
and Immigration
Services**

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prevent clearly unwarranted
invasion of personal privacy

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FILE:



Office: NEBRASKA SERVICE CENTER

Date: **MAY 12 2008**

[LIN 99 100 50081]

[LIN 02 238 51470]

INRE:

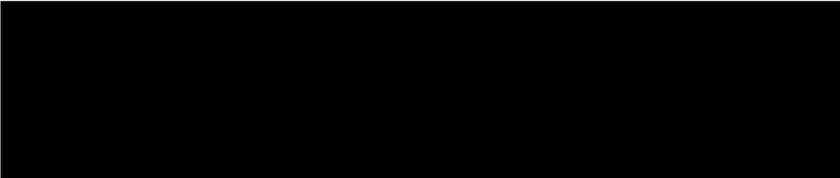
Applicant:



APPLICAnON:

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 initial application was denied by the Director, Nebraska Service Center (NSC). The initial application will be reopened, *sua sponte*, by the Chief, *Administrative Appeals Office (AAO)*, and the application will be approved. A subsequent application for TPS was denied by the NSC director, and is currently before the Administrative Appeals Office (AAO) on appeal. The appeal will be sustained and both applications 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 her initial application for TPS under receipt number LIN 99 10050081 on January 19, 1999. The NSC director denied the initial application due to abandonment on October 30, 2000, after determining that the applicant had failed to appear for her fingerprint appointment.

On July 9, 2002, the applicant filed a subsequent application for TPS under receipt number LIN 02 238 51470. The NSC director denied that application on February 18, 2003, because the applicant failed to establish her eligibility for TPS late registration. On March 18, 2003, the applicant filed an appeal which is now before the AAO.

On appeal, the applicant asserts her eligibility for TPS. The applicant also submits copies of the Employment Authorization Documents (EAD's) and Social Security Administration card of her spouse, _____

The record reveals that the applicant was fingerprinted as reflected by the FBI criminal history response dated July 5, 1999, under A-file number _____. It is also noted that the applicant has been fingerprinted on four subsequent occasions, under A-file number _____, with FBI responses dated: September 30, 2002, February 2, 2005, March 31, 2006, and March 1, 2007. The most recent FBI criminal history response reflects "NON-IDENT."

A review of the record of proceedings reveals that the applicant has provided sufficient evidence to establish her eligibility for TPS and does not reflect any grounds that would bar the applicant from receiving TPS. Therefore, the director's decision will be withdrawn and the applications will be approved.

ORDER: The application is reopened and the director's denial of the initial application is withdrawn. The applications are approved.