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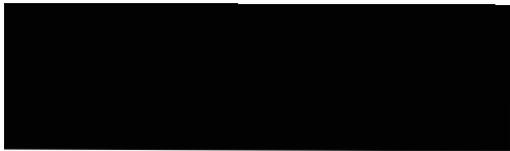


**U.S. Citizenship  
and Immigration  
Services**

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DEC 06 2006



FILE:

[REDACTED]  
[SRC 01 202 56822]  
[WAC 05 189 74512]

Office: CALIFORNIA SERVICE CENTER

Date:

IN RE:

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:

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.

Robert P. Wiemann, Chief  
Administrative Appeals Office

**DISCUSSION:** The initial application was denied by the Director, Texas Service Center (TSC). A subsequent application for re-registration was denied by the Director, California Service Center, and is currently before the Administrative Appeals Office (AAO) on appeal. The initial application will be reopened, *sua sponte*, by the Chief, Administrative Appeals Office, and the case will be remanded for further consideration and action.

The applicant claims to be 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 applicant filed the current Form I-821, Application for Temporary Protected Status, on April 7, 2005, and indicated that she was re-registering for TPS. The director denied the re-registration application because the applicant's initial TPS application had been denied and the applicant was not eligible to apply for re-registration for TPS.

The record reveals that the applicant filed her initial TPS application on May 2, 2001, under CIS receipt number SRC 01 202 56822. The TSC director denied that application on September 8, 2004, after determining that the applicant had abandoned her application by failing to respond to a request for evidence.

However, the record of proceedings reveals that the TSC director's decision was in error. Specifically, the record reveals that the TSC director sent the request for evidence dated July 2, 2004, to an incorrect address of [REDACTED] in Garland, Texas, instead of [REDACTED] as indicated by the applicant on her TPS re-registration and employment authorization application [SRC 03 259 54590] filed on September 16, 2003. In addition, the TSC director's decision to deny dated September 8, 2004, was also sent to an incorrect address.

The TSC director's denial of the initial application will be withdrawn; the application will be remanded for a new decision. The application for re-registration or renewal is dependent upon the adjudication of the initial application. Since the initial application is being remanded, that decision will be remanded to the Director, California Service Center, for further adjudication. The director may request any evidence deemed necessary to assist with the determination of the applicant's eligibility for TPS offered to El Salvadorans.

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 initial application is reopened, the TSC director's decision is withdrawn, and the application is remanded for a new decision. The re-registration application is remanded for further action consistent with the new decision on the initial application.