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U.S. Department of Homeland Security  
U. S. Citizenship and Immigration Services  
Office of Administrative Appeals MS 2090  
Washington, DC 20529-2090



U.S. Citizenship  
and Immigration  
Services

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FILE:

[EAC 01 189 56493]

Office: VERMONT SERVICE CENTER

Date: **MAR 05 2010**

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

If you believe the law was inappropriately applied or you have additional information that you wish to have considered, you may file a motion to reconsider or a motion to reopen. Please refer to 8 C.F.R. § 103.5 for the specific requirements. All motions must be submitted to the office that originally decided your case by filing a Form I-290B, Notice of Appeal or Motion, with a fee of \$585. Any motion must be filed within 30 days of the decision that the motion seeks to reconsider, as required by 8 C.F.R. 103.5(a)(1)(i).

Perry Rhew  
Chief, Administrative Appeals Office

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

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 electronic record reflects that the applicant filed his initial TPS application on May 31, 2001, under receipt number EAC 01 189 56493. The applicant indicated on appeal that he was appealing a decision of the director dated August 18, 2006.

However, the record does not contain a copy of the August 18, 2006 decision denying the applicant's initial application. According to 8 C.F.R. § 244.10, whenever an application for TPS is denied, the alien shall be given written notice setting forth the specific reasons for the denial.

The case is remanded for the purpose of a written decision, which fully addresses the evidence. Should the decision be adverse, the applicant shall be permitted to file an appeal, without fee.

**ORDER:** The case is remanded for appropriate action and decision consistent with the foregoing.