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U.S. Department of Homeland Security
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Washington, DC 20529



U.S. Citizenship
and Immigration
Services

MI

FILE:

[EAC 01 209 53648]

Office: VERMONT SERVICE CENTER

Date: JAN 19 2005

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 office that originally decided your case. Any further inquiry must be made to that office.

A handwritten signature in black ink, appearing to read "R. Wiemann".

Robert P. Wiemann, Director
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 director's decision will be remanded.

The applicant is stated to be 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.

Pursuant to 8 C.F.R. § 103.3(a)(1)(i), when an officer denies an application, the officer "shall explain in writing the specific reasons for denial."

The director denied the application on August 26, 2003. The director's decision does not indicate the specific basis for the decision. Therefore, the case will be remanded for the issuance of a new decision that sets forth the specific reasons for denial of the application.

It is noted that another record, [REDACTED] exists concerning the applicant's previous removal hearing in 2000, with first name misspelled as [REDACTED]. The final outcome of that removal hearing is not included in this record.

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 case is remanded.