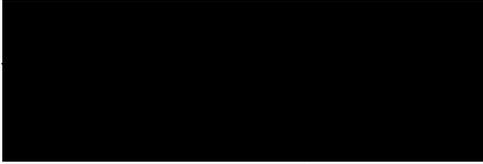




U.S. Citizenship
and Immigration
Services

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prevent clearly unwarranted
invasion of personal privacy**

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NOV 21 2005

FILE: [REDACTED]
[EAC 03 218 51952]

Office: Vermont Service Center

Date:

IN RE: Applicant: [REDACTED]

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

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 case will be remanded.

The applicant claims to be a native and 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.

On December 22, 2003, the director denied the application for re-registration based upon the fact that a previous application for TPS had been denied on March 27, 2003.

A review of the record of proceedings reflects that the applicant appealed the denial of her initial TPS application, the appeal was sustained and her application was approved on March 1, 2005. In addition, the applicant has also applied for TPS re-registration [WAC 05 103 82874] on January 11, 2005. It is noted that the applicant indicated on this application that she was arrested and is currently in proceedings.

Therefore, the decision of the director is withdrawn, and the case is remanded for the issuance of a new decision.

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ORDER: The decision of the director is withdrawn, and the case is remanded to the director for entry of a new decision.