



U.S. Citizenship  
and Immigration  
Services

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FILE: [REDACTED]  
[EAC 03 260 54307]

Office: VERMONT SERVICE CENTER

Date: NOV 30 20

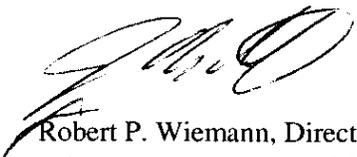
IN RE: Applicant: [REDACTED]

APPLICATION: Application for Temporary Protected Status under Section 244 of the Immigration and Nationality Act, 8 U.S.C. § 1254

ON BEHALF OF APPLICANT: 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.

  
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 is 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.

The record reveals that the applicant filed her application on September 17, 2003. On November 17, 2003, the applicant was requested to submit evidence establishing his qualifying continuous residence in the United States since February 13, 2001, and continuous physical presence in the United States since March 9, 2001. The director stated that the record did not contain a response from the applicant, and thereafter denied the application on January 27, 2004.

While the director's decision states: "your application is denied," the specific reason for the denial is not indicated. Under 8 C.F.R. § 103.3, "the officer shall explain in writing the specific reasons for denial." In addition, the record or proceedings contains a response by the applicant to the director's request for evidence that was received by Citizenship and Immigration Services (CIS) on January 2, 2004.

The case is remanded for the issuance of a new decision that addresses the evidence submitted and sets forth the specific reasons for the denial.

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 to the director for entry of a new decision.