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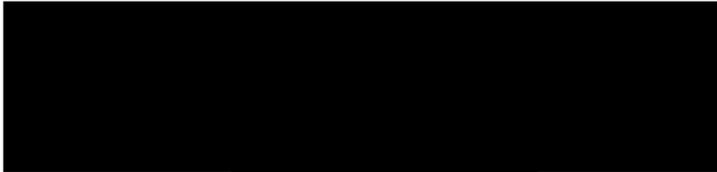


U.S. Citizenship
and Immigration
Services

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DEC 06 2007



FILE:



Office: CALIFORNIA SERVICE CENTER

Date:

[EAC 99 249 50635]
[EAC 03 195 50650]
[WAC 05 099 72943]

IN RE:

Applicant:



APPLICATION:

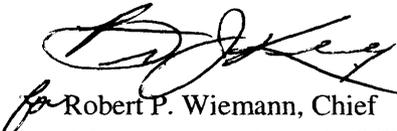
Application for Temporary Protected Status under Section 244 of the Immigration and Nationality Act, 8 U.S.C. § 1254

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.


for Robert P. Wiemann, Chief
Administrative Appeals Office

DISCUSSION: The application was denied by the Director, California Service Center, and is now before the Administrative Appeals Office (AAO) on appeal. The appeal will be sustained and the application will be approved.

The applicant is 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.

The record reveals that on July 1, 1999, the applicant filed his initial application for TPS with the Immigration and Naturalization Service, now Citizenship and Immigration Services (CIS) under receipt number EAC 99 249 50635. The California Service Center Director denied that application on September 23, 2004, after determining that the applicant had failed to submit all of the final court dispositions stemming from his January 4, 2004, arrest in Union City, New Jersey. Under separate cover, the AAO Chief determined that the sole reason for denial stated by the California Service Center Director had been overcome. The AAO Chief also determined, under separate cover, that since the initial TPS application was being approved, the appeal from the denial of the re-registration application, CIS file number [EAC 03 195 50650], would be sustained, and that application will also be approved. Therefore, the AAO Chief withdrew the denial decision, sustained the prior appeal [EAC 03 195 50650] and approved the TPS application.

Since the applicant has overcome the sole ground for the denial of his initial application for TPS, that decision has been withdrawn. The record of proceedings contains sufficient evidence to establish the applicant's eligibility for TPS and does not reflect any other grounds that would bar the applicant from receiving TPS. Therefore, the initial application will be approved.

The director's denial of the application for re-registration or renewal is dependent upon the adjudication of the initial application. Since the initial application is being approved, the appeal from the denial of the re-registration will be sustained and that application will also be approved.

ORDER: The initial application and the re-registration application are both approved.