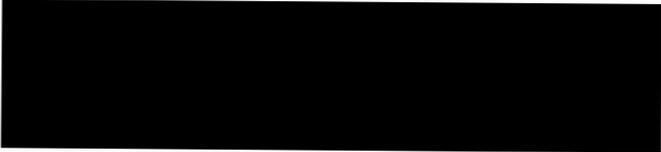




U.S. Citizenship  
and Immigration  
Services

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identifying data deleted to  
prevent clearly unwarranted  
invasion of personal privacy



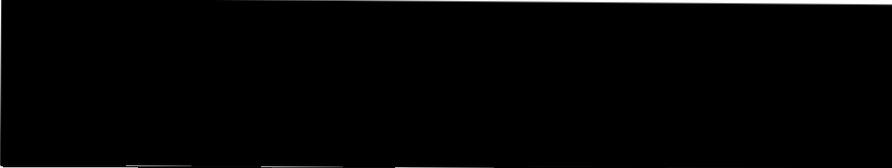
MH

FILE: [REDACTED] OFFICE: VERMONT SERVICE CENTER DATE: FEB 28 2007  
[EAC 01 190 50697]

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.

for Robert P. Wiemann, Chief  
Administrative Appeals Office

**DISCUSSION:** The application was denied by the Director, Vermont Service Center, and is now before the Administrative Appeals Office on appeal. The case will be remanded to the director for further action.

The applicant claims 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), when a Service officer denies an application or petition, the officer shall explain in writing the specific reasons for denial.

The director denied the application on July 28, 2003, because the applicant had failed to “submit any evidence you thought would overcome the grounds of denial.” The director, however, failed to explain the specific reasons for the denial.

Therefore, the case is remanded for the issuance of a new decision that sets forth the specific reasons for the denial.

The Federal Bureau of Investigation fingerprint results report, contained in the record of proceeding, shows that on December 5, 2005, in Rockville, Maryland, the applicant was arrested for “False Statement.” However, the final court disposition of this arrest is not included in the record of proceeding. CIS must address this arrest and/or conviction in any future decisions or proceedings.

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 further action consistent with the above and entry of a new decision.