



U.S. Citizenship
and Immigration
Services

PUBLIC COPY

**Identifying data deleted to
prevent clearly unwarranted
invasion of personal privacy**

M

[REDACTED]

FILE:

[REDACTED]

OFFICE: CALIFORNIA SERVICE CENTER

DATE: **AUG 05 2008**

[WAC 05 095 73637]

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.


for Robert P. Wiemann, Director
Administrative Appeals Office

DISCUSSION: The application was denied by the Director, California 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 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 the applicant filed a TPS application during the initial registration period on July 6, 1999, under Citizenship and Immigration Services (CIS) receipt number WAC 99 198 50808.

The applicant filed the current Form I-821, Application for Temporary Protected Status, on January 3, 2005, and indicated that she was re-registering for TPS. The director denied the re-registration application on June 13, 2005, because the applicant's initial TPS application had been denied and the applicant was not eligible to apply for re-registration for TPS.

The record of proceeding, however, does not contain the director's notice denying the applicant's initial TPS application (WAC 99 198 50808).

Therefore, the case is remanded for the inclusion of the director's decision and any other necessary documentation into the record of proceeding. It is also noted that the record indicates the applicant has another file, [REDACTED], under the name of [REDACTED]. The director shall review all CIS records pertaining to this applicant and all files relating to this individual's application history shall be consolidated into the applicant's permanent record. The director may request any evidence deemed necessary to assist with the determination of the applicant's eligibility for TPS.

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.