



U.S. Citizenship  
and Immigration  
Services

**PUBLIC COPY**

identifying data deleted to  
prevent clearly unwarranted  
invasion of personal privacy

M 1



FILE: [REDACTED]  
[SRC 03 13 1 54946]

Office: Texas Service Center Date: JAN 25 2008

INRE: 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, Texas Service Center, and is now before the Administrative Appeals Office (AAO) on appeal. The case will be remanded to the director for further action.

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.

While the applicant was issued a Notice of Decision To Deny on June 14, 2003, the specific reason for the decision is not indicated. Pursuant to 8 C.F.R. § 103.3(a), "the officer shall explain in writing the specific reasons for denial."

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

It is noted that the applicant's Federal Bureau of Investigation (FBI) Fingerprint Results Report indicates that the applicant was arrested by the Police Department Houston (Texas) on April 1, 1997, and charged with one count of "Theft-Shoplifting." The record of proceeding does not contain the final court disposition for this arrest. CIS must address the arrest and any conviction in any future 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**ORDER:** The director's decision is withdrawn. The case is remanded to the director for further action consistent with the above and entry of a new decision.