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U.S. Department of Homeland Security
U. S. Citizenship and Immigration Services
Office of Administrative Appeals
Washington, DC 20529-2090



U.S. Citizenship
and Immigration
Services

M, I

[Redacted]

FILE:

[Redacted]

Office: VERMONT SERVICE CENTER

Date:

JUN 11 2010

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:

[Redacted]

INSTRUCTIONS:

Enclosed please find the decision of the Administrative Appeals Office in your case. All of the documents related to this matter have been returned to the office that originally decided your case. Please be advised that any further inquiry that you might have concerning your case must be made to that office.

Thank you.

Perry Rhew
Chief, Administrative Appeals Office

DISCUSSION: The applicant's Temporary Protected Status was withdrawn by the Director, Vermont Service Center (VSC), and is now before the Administrative Appeals Office (AAO). The AAO will reopen the matter on motion and remand the case to the Director, VSC, for a new decision.

The applicant is a 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 a TPS application during the initial registration period on April 9, 2001, under receipt number [REDACTED]. The Director, VSC, approved that application on October 16, 2001. The director may withdraw the status of an alien granted Temporary Protected Status under section 244 of the Act at any time if it is determined that the alien was not in fact eligible at the time such status was granted, or at any time thereafter becomes ineligible for such status. 8.C.F.R. § 244.14(a)(1). The Director, VSC, withdrew the applicant's TPS on September 25, 2007, because he determined the applicant was no longer eligible for TPS, and the AAO dismissed the applicant's appeal on August 4, 2009.

Upon consideration, the AAO will withdraw the decision of the Director, Vermont Service Center, dated March 19, 2003, as well as the AAO's decision, dated August 4, 2009. The case will be remanded to the director for entry of a new decision.

ORDER: The case is remanded to the Vermont Service Center for further action by the director.