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U.S. Citizenship
and Immigration
Services

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[Redacted]

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FILE:

[Redacted]

Office: VERMONT SERVICE CENTER

Date:

SEP 24 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:

SELF-REPRESENTED

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 Vermont Service Center. Please be advised that any further inquiry that you might have concerning your case must be made to that office.

If you believe the law was inappropriately applied by us in reaching our decision, or you have additional information that you wish to have considered, you may file a motion to reconsider or a motion to reopen. The specific requirements for filing such a request can be found at 8 C.F.R. § 103.5. All motions must be submitted to the Vermont Service Center by filing a Form I-290B, Notice of Appeal or Motion, with a fee of \$585. Please be aware that 8 C.F.R. § 103.5(a)(1)(i) requires that any motion must be filed within 30 days of the decision that the motion seeks to reconsider or reopen.

Thank you,

Perry Rhew
Chief, Administrative Appeals Office

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

The applicant is a 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 electronic record reflects that the applicant filed this TPS application on July 18, 2007, under receipt number [REDACTED] and the director denied the application on October 11, 2007. Although the applicant listed the receipt number for the Form I-765 on the Form I-290B, she also indicated that she was appealing the denial of the TPS application.

However, the record does not contain a copy of the October 11, 2007 decision denying the applicant's TPS application [REDACTED]. According to 8 C.F.R. § 244.10, whenever an application for TPS is denied, the alien shall be given written notice setting forth the specific reasons for the denial.

The case is remanded for inclusion of said decision. If the decision cannot be located, a new decision shall be issued, which fully addresses the evidence setting forth the specific reasons for the denial pursuant to 8 C.F.R. §§ 244.10 and 103.3(a)(1)(i). Should the decision be adverse, the applicant shall be permitted to file an appeal, without fee.

ORDER: The case is remanded for appropriate action and decision consistent with the foregoing.