(b)(6)

U.S. Department of Homeland Security
U.S. Citizenship and Immigration Services
Administrative Appeals Office (AAO)
20 Massachusetts Ave., N.W., MS 2090
Washington, DC 20529-2090

U.S. Citizenship and Immigration Services

DATE: OCT 3 1 2013 OFFICE: VERMONT SERVICE CENTER FILE:

IN RE: 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:

Enclosed please find the decision of the Administrative Appeals Office (AAO) in your case. This is a non-precedent decision. The AAO does not announce new constructions of law nor establish agency policy through non-precedent decisions.

Thank you,

Ron Rosenberg
Chief, Administrative Appeals Office

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

The applicant claims to be 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 applicant filed a Form I-290B, Notice of Appeal or Motion, for a TPS application listed under receipt number U.S. Citizenship and Immigration Services (USCIS) electronic record indicates that the receipt number for the Form I-290B is associated with the filing of a Form I-821, Application for Temporary Protected Status, and that a notice of decision denying the Form I-821 was issued on January 21, 2011.

The record of proceeding does not contain the Notice of Decision that the applicant is appealing. Pursuant 8 C.F.R. § 244.10(c), a denial of TPS by the director shall be in writing. Therefore, the case is remanded for the inclusion of this decision and any other necessary documentation into the record of proceeding. If the decision cannot be located or if the evidence in the director's possession differs from that described by the electronic record, a decision must be rendered and the applicant shall be permitted to supplement the appeal without fee.

ORDER: The case is remanded to the director for further action consistent with the above discussion.

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[1] On February 14, 2012, the applicant filed two appeal forms; one for the Form I-765 and one for the Form I-821. On each form the applicant listed the receipt number associated with the Form I-765. A decision for the Form I-765 has been issued under separate cover.