



U.S. Citizenship  
and Immigration  
Services

(b)(6)

DATE: JUN 18 2015

FILE: [REDACTED]  
APPLICATION RECEIPT #: [REDACTED]

IN RE: Applicant: [REDACTED]

APPLICATION: Application for Temporary Protected Status under Section 244 of the  
Immigration and Nationality Act, 8 U.S.C. § 1254a

ON BEHALF OF APPLICANT:

NO REPRESENTATIVE OF RECORD

Enclosed is the non-precedent decision of the Administrative Appeals Office (AAO) for your case. All documents have been returned to the office that originally decided your case. Any further inquiry must be made to that office.

Thank you,

A handwritten signature in black ink, appearing to read "Ron Rosenberg".

Ron Rosenberg  
Chief, Administrative Appeals Office

**DISCUSSION:** The Director, Vermont Service Center, denied the applicant's re-registration application and withdrew the applicant's Temporary Protected Status (TPS). The matter is now before the Administrative Appeals Office (AAO) on appeal. The appeal will be remanded to the director for further proceedings consistent with this decision.

The applicant is a native and citizen of El Salvador who was granted Temporary Protected Status (TPS) under section 244 of the Immigration and Nationality Act (the Act), 8 U.S.C. § 1254a. On March 20, 2014, the director denied the applicant's re-registration application and withdrew TPS after determining that the applicant had abandoned her application by failing to appear at an Application Support Center (ASC) as requested to have her fingerprints taken.

On October 11, 2013, the director notified the applicant of her intent to deny the re-registration application and to withdraw her TPS. The applicant was instructed to submit proof that she has had her fingerprints taken as requested or evidence that she rescheduled the appointment. There is no evidence of the applicant's response to the director's notice of intent to deny. The director deemed the application abandoned. On March 20, 2014, the director denied the re-registration application and withdrew TPS for reason of abandonment.

On appeal, the applicant asserts that she did not receive the notice to have her fingerprints taken at an ASC and that she did not intend to abandon her application. The applicant requests that the director issue a new notice for her to have her fingerprints taken.

If all requested initial evidence and requested additional evidence is not submitted by the required date, the application shall be considered abandoned and, accordingly, shall be denied. 8 C.F.R. § 103.2(b)(13). A denial due to abandonment may not be appealed, but an applicant may file a motion to reopen. 8 C.F.R. § 103.2(b)(15). In this case, however, the director notified the applicant that she has a right to appeal the adverse decision. The applicant timely filed a Form I-290B, Notice of Appeal or Motion, and indicated that she was appealing the director's decision to deny her re-registration application and withdraw her TPS.

The record of proceedings shows that the applicant was subsequently fingerprinted on December 19, 2014. As such, the applicant has overcome the sole basis of the director's decision. Because the sole basis for the withdrawal of TPS and denial of the re-registration has been overcome while the appeal of the denial decision was pending, the director's decision will be withdrawn. The matter will be remanded to the director for further adjudication of the re-registration application. The director may request any evidence deemed necessary to assist with the determination of the applicant's continued eligibility for TPS.

**ORDER:** The decision of the director is withdrawn. The matter is remanded to the director for further proceedings consistent with this decision.