



**U.S. Citizenship
and Immigration
Services**

**Non-Precedent Decision of the
Administrative Appeals Office**

MATTER OF S-J-M-R-

DATE: NOV. 25, 2015

APPEAL OF VERMONT SERVICE CENTER DECISION

APPLICATION: FORM I-765, APPLICATION FOR EMPLOYMENT AUTHORIZATION

The Applicant, a native and citizen of Honduras, seeks employment authorization. *See* 8 C.F.R. § 274a.12(a)(12). The Director, Vermont Service Center, denied the application. The matter is now before us on appeal. The matter will be remanded for further action consistent with this opinion.

The Applicant was granted temporary protected status (TPS) on August 8, 2005. The Director withdrew TPS on September 18, 2013, because the Applicant had two misdemeanor convictions in the United States. The Applicant subsequently filed a Form I-821, Application for Temporary Protected Status, and a Form I-765, Application for Employment Authorization, to apply for re-registration of TPS on December 15, 2014.

On March 16, 2015, the Director issued a decision indicating that the Applicant was not eligible for employment authorization based on the withdrawal of his TPS. However, the Director did not address the Applicant's current application for re-registration, and there is no other decision for that application in the record. On appeal, the record reflects that the Applicant seeks review of the Director's TPS determination. Consequently, we deem the Applicant's appeal an appeal of the denial of his application for TPS re-registration. Insofar as the record does not contain a decision on that application, the matter will be remanded for the issuance of a decision on the TPS application for re-registration. If that decision is adverse to the Applicant, the Director shall certify it to us for review.

ORDER: The decision of the Director, Vermont Service Center is withdrawn. The matter is remanded to the Director, Vermont Service Center for further proceedings consistent with the foregoing opinion and for the entry of a new decision, which, if adverse, shall be certified to us for review.

Cite as *Matter of S-J-M-R-*, ID# 14766 (AAO Nov. 25, 2015)