



U.S. Citizenship  
and Immigration  
Services

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invasion of personal privacy**

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[REDACTED]

FILE: [REDACTED]  
[EAC 01 206 51723]

Office: Vermont Service Center

Date: NOV 07 2007

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:

This is the decision of the Administrative Appeals Office in your case. All documents have been returned to the office that originally decided your case. Any further inquiry must be made to that office.

Robert P. Wiemann, 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.

The applicant claims to be a native and 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 his application on June 7, 2001. On June 26, 2003, the applicant was requested to submit evidence establishing his citizenship or nationality of El Salvador, and final court dispositions stemming from his criminal arrests in 1992, 1993, 1994, 1995, and 2002. The record does not contain a response from the applicant. The director in turn denied the application on September 11, 2003.

While the director's decision states: "your application is denied," the specific reason for the denial is not indicated. Under 8 C.F.R. § 103.3, "the officer shall explain in writing the specific reasons for denial."

The case is remanded for the issuance of a new decision that sets forth the specific reasons for the denial.

As always in these proceedings, the burden of proof rests solely with the applicant. Section 291 of the Act, 8 U.S.C. § 1361.

**ORDER:** The case is remanded to the director for entry of a new decision.