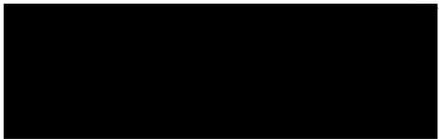


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U.S. Department of Homeland Security
Citizenship and Immigration Services

ADMINISTRATIVE APPEALS OFFICE
CIS, AAO, 20 Mass, 3/F
425 I Street, N.W.
Washington, D.C. 20536

PUBLIC COPY



DEC 03 2003

FILE: [Redacted]
SRC 02 180 55540

Office: Texas Service Center

Date:

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:

Identifying data deleted to prevent identity unwarranted invasion of personal privacy

This is the decision 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.

If you believe the law was inappropriately applied or the analysis used in reaching the decision was inconsistent with the information provided or with precedent decisions, you may file a motion to reconsider. Such a motion must state the reasons for reconsideration and be supported by any pertinent precedent decisions. Any motion to reconsider must be filed within 30 days of the decision that the motion seeks to reconsider, as required under 8 C.F.R. § 103.5(a)(1)(i).

If you have new or additional information that you wish to have considered, you may file a motion to reopen. Such a motion must state the new facts to be proved at the reopened proceeding and be supported by affidavits or other documentary evidence. Any motion to reopen must be filed within 30 days of the decision that the motion seeks to reopen, except that failure to file before this period expires may be excused in the discretion of the Citizenship and Immigration Services (CIS) where it is demonstrated that the delay was reasonable and beyond the control of the applicant or petitioner. *Id.*

Any motion must be filed with the office that originally decided your case along with a fee of \$110 as required under 8 C.F.R. § 103.7.

Cindy M. Gomez for
Robert P. Wiemann, Director
Administrative Appeals Office

DISCUSSION: The application was denied by the Director, Texas Service Center. A subsequent appeal was dismissed by the Administrative Appeals Office (AAO). The matter is now before the AAO on a motion to reopen. The motion will be dismissed.

The applicant is a native and 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. § 1254a.

The director denied the application after determining that the applicant has failed to establish that he was eligible for filing after the initial registration period from January 5, 1999 to August 20, 1999.

On appeal, the AAO reviewed the applicant's claim that he had previously filed a TPS application in 1999. The AAO noted that although the applicant provided a (illegible) copy of a money order receipt dated January 20, 1999, and stated that evidence that the money order was cashed will be available upon INS request, no evidence had been presented by the applicant. The AAO, therefore, concurred with the director's conclusion and dismissed the appeal on November 27, 2002.

On motion, the applicant states that he has been trying to register for TPS since its inception. He further states that he has requested evidence that the Service cashed the money order he sent in 1999. Unfortunately, to date, he has not received such information and he has requested a second claim with the U.S. Postal Service. He is, therefore, requesting an additional 45 days in which to provide evidence. To date, no evidence has been presented.

Pursuant to 8 C.F.R. § 103.5(a)(2), a motion to reopen must state the new facts to be proved at the reopened proceedings and be supported by affidavits or other documentary evidence. A motion that does not meet applicable requirements shall be dismissed. 8 C.F.R. § 103.5(a)(4).

The applicant has presented no new facts or other documentary evidence in support of the motion to reopen. Further, since the filing of the motion, the applicant has not furnished any additional evidence.



Accordingly, the motion will be dismissed.

ORDER: The motion is dismissed.