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U.S. Department of Homeland Security
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Washington, DC 20529



U.S. Citizenship
and Immigration
Services



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FILE:

Office: VERMONT SERVICE CENTER

Date: **AUG 02 2004**

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:

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, Director
Administrative Appeals Office

DISCUSSION: The applicant's Temporary Protected Status was withdrawn by the Director, Vermont Service Center, and the matter is now before the Administrative Appeals Office on appeal. The appeal will be dismissed.

The applicant is a native and citizen of El Salvador who was granted Temporary Protected Status (TPS) on December 20, 1999. The director subsequently withdrew the applicant's Temporary Protected Status on March 20, 2003, when it was determined that the applicant had failed to submit the required annual re-registration for each 12-month period subsequent to the approval of her application.

On appeal, the applicant submits a statement and additional evidence.

An alien who has been granted Temporary Protected Status must register annually with the district office or service center having jurisdiction over the alien's place of residence. 8 C.F.R. § 244.17(a).

Temporary Protected Status shall be withdrawn if the alien fails, without good cause, to register annually, at the end of each 12-month period after the granting of such status, in a form and manner specified by the Attorney General. Section 244(c)(3)(c)(A) of the Immigration and Nationality Act (the Act.)

The record reveals that on December 20, 1999, the director approved the applicant's Form I-821, Application for Temporary Protected Status. The record also reveals that the applicant subsequently re-registered, and that an extension of her employment authorization was granted for the 2000-2001 period. The applicant subsequently attempted to file for re-registration for the 2002-2003 and 2003-2004 periods. However, the record does not reflect an attempt by the applicant to re-register for the 2001-2002 period.

In a letter dated November 25, 2002, the director requested that the applicant submit evidence that she had filed for re-registration for the 2001-2002 period. The letter was mailed to the applicant at her address of record, but was returned to Citizenship and Immigration Services (CIS) as undeliverable mail. The service center director subsequently re-mailed the letter to the applicant at her updated address on December 18, 2002. The record indicates that the applicant failed to respond to the director's letter.

The director, therefore, concluded that the applicant had failed to establish that she had successfully re-registered for the 2001-2002 period, and withdrew the applicant's TPS on March 20, 2003.

On appeal, the applicant states that she tried to "get proof of all my copies, but as an accident, I lost all the paper work and [these] are the only copies I could sen[d] you." She submits a photocopy of her employment authorization cards that were valid from December 17, 1999 to July 5, 2000, and from July 5, 2000 to July 5, 2001, along with a U.S. Postal Service Certified Mail Receipt, dated May 23, 2002 that was submitted with her attempt to re-register in May 2002. However, the applicant has not provided any evidence to establish that a re-registration had been filed for the 2001-2002 period. Consequently, the director's decision to withdraw the applicant's Temporary Protected Status will be affirmed.

An alien applying for Temporary Protected Status has the burden of proving that he or she meets the requirements enumerated above and is otherwise eligible under the provisions of section 244 of the Act. The applicant has failed to meet this burden.



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ORDER: The appeal is dismissed.