

Identifying data omitted to
prevent clearly unwarranted
invasion of personal privacy

U.S. Department of Homeland Security
20 Mass. Ave., N.W., Rm. A3042
Washington, DC 20529

U.S. Citizenship
and Immigration
Services

PUBLIC COPY



MI

DEC 29 2004

FILE:

Office: Texas Service Center

Date:

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.

for Robert P. Wiemann, Director
Administrative Appeals Office

DISCUSSION: The application was denied by the Director, Texas Service Center, and is now before the Administrative Appeals Office (AAO) on appeal. The appeal will be rejected.

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. § 1254.

The director denied the application because the applicant failed to establish that she was eligible for late registration.

On the Form I-290B, Notice of Appeal, the applicant stated that the reason for her appeal was because of the denial of her TPS application. She also stated that "everything is [in] order" on the appeal form.

On January 24, 2003, the applicant was requested to submit evidence establishing her eligibility for late registration as set forth in 8 C.F.R. § 244.2(f)(2). The applicant responded to the director's request on February 19, 2003, and submitted a letter from the City of Houston, Houston Police Department, stating that they were unable to locate any arrest record on file for the applicant. The letter also indicates the applicant stated that she had resided in the Houston area from June 1996 to February 2003.

On August 14, 2003, the applicant submitted a Form I-290B. Along with the Form I-290B, the applicant submitted a copy of the letter from the City of Houston and some evidence relating to her residence in the United States. The applicant, however, did not submit any evidence to establish her eligibility for late registration; therefore, the director denied the application on September 23, 2003.

The director's denial notice advised the applicant that she had the right to appeal the decision within 30 days after the notice of decision. The record, however, does not contain any further appeal to the director's decision; therefore, no appeal is currently pending before the AAO.

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 appeal is rejected.