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U.S. Citizenship
and Immigration
Services

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FILE:



Office: Nebraska Service Center

Date: DEC 08 2005

[LIN 01 162 52590]

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DISCUSSION: The applicant's Temporary Protected Status was withdrawn by the Director, Nebraska Service Center, and the case is now before the Administrative Appeals Office (AAO) on appeal.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

The applicant is a native and citizen of El Salvador who was granted Temporary Protected Status on April 12, 2000. The director subsequently withdrew the applicant's Temporary Protected Status on February 19, 2004, when it was determined that the applicant had failed to submit the required annual re-registration for a 12-month period subsequent to the approval of her application.

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Temporary Protected Status shall be withdrawn if the alien fails, without good cause, to register annually, at the end of each 12-month period after the granting of such status, in a form and manner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) INA.

The record reveals that on July 2, 2001, the director approved the application for Temporary Protected Status. The record also reveals that the applicant subsequently re-registered for the 2003-2004 period. The director determined that record does not reflect an attempt by the applicant to re-register for TPS for the 2002-2003 period.

In a letter dated November 3, 2003, the director requested that the applicant submit evidence that she had filed for re-registration for the 2002-2003 period. The applicant responded to director's request and submitted copies of her El Salvadoran passport and evidence regarding her residence in the United States. The director concluded that the applicant had failed to establish that she had successfully re-registered for the 2002-2003 period, and withdrew the applicant's TPS on February 19, 2004.

On appeal, the applicant states that she has been in the United States before 2001 and submits some evidence in attempt to establish her continuous residence and continuous physical presence in the United States. The applicant does not explain why she failed to re-register for the 2002-2003 period.

A review of the record and CIS' systems indicates that the applicant did not re-register for the 2002-2003 period. It is noted that the director returned the applications for temporary protected status and employment authorization on November 25, 2002 and on December 11, 2002, because the applicant did not submit the proper fees. The applicant has not provided any evidence, such as money order receipts or a receipt notices, from Citizenship and Immigration Services (CIS) to establish that a re-registration had been filed for the 2002-2003 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.



ORDER: The appeal is dismissed.