



U.S. Citizenship  
and Immigration  
Services

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FILE:



Office: VERMONT SERVICE CENTER

Date:

JUL 01 2005

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

The applicant is stated 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 applicant filed an application for TPS on May 3, 2002. The director denied the application on September 4, 2002, because the applicant failed to provide the disposition of his arrest for the "Possession Controlled Substance PG3 Under 200G." The applicant filed a Form I-290B, Notice of Appeal to the Administrative Appeals Unit (AAU), on September 16, 2002. The appeal was dismissed by the AAO on April 16, 2003.

The applicant now files a motion to reopen and reconsider the decision of the AAO.

Any motion to reopen or reconsider must be filed by the applicant within 30 days of the decision that the motion seeks to reopen or reconsider. 8 C.F.R. § 103.5(a)(1)(i).

The appeal was dismissed in a decision dated April 16, 2003. The motion was filed on May 21, 2003. The motion was untimely filed and must be rejected.

**ORDER:** The motion is rejected.