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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, and is now before the Administrative Appeals Office on appeal. The appeal will be rejected.

The applicant is 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 director denied the application because the applicant failed to establish continuous residence in the United States since February 13, 2001, and continuous physical presence in the United States since March 9, 2001.

The applicant appears to be represented; however, the Form G-28, Notice of Entry of Appearance as Attorney or Representative, has not been signed by the applicant. Therefore, the applicant shall be considered as self-represented and the decision will be furnished only to the applicant.

"Affected Party" means the person or entity with legal standing in a proceeding. 8 C.F.R. § 103.3(a)(1)(iii)(B).

An appeal filed by a person or entity not entitled to file it must be rejected as improperly filed. In such a case, any filing fee which has been accepted will not be refunded. 8 C.F.R. § 103.3(a)(2)(v).

In this case, the appeal was filed by [REDACTED] of Catholic Charities - Hogar Hispanico in Falls Church, Virginia. [REDACTED] indicates that her organization is an accredited representative recognized by the Board of Immigration Appeals. However, as stated above, since the applicant has not signed the Form G-28 authorizing [REDACTED] or Catholic Charities to represent him in this matter, [REDACTED] cannot be recognized as having legal standing in the proceeding. Therefore, the appeal will be rejected.

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 failed to meet this burden.

ORDER: The appeal is rejected.