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U.S. Citizenship
and Immigration
Services

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FILE:

[REDACTED]
[LIN 02 200 51770]

Office: Nebraska Service Center

Date: JUN 24 2005

IN RE:

Applicant: [REDACTED]

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DISCUSSION: The applicant's Temporary Protected Status was withdrawn by the Director, Nebraska Service Center, and the case is now before the Administrative Appeals Office (AAO) on appeal.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 Honduras who was granted Temporary Protected Status on February 2, 2000. The director subsequently withdrew the applicant's Temporary Protected Status on January 8, 2003, 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Temporary Protected Status shall be withdrawn if the alien fails, without good cause, to register annually, at the end of each 12-month period after the granting of such status, in a form and manner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 February 2, 2000, the director approved the application [LIN 99 149 51198] 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 2003-2004 period. However, the record does not reflect an attempt by the applicant to re-register for the 2001-2002 period.

In a letter dated August 13, 2002, the director requested that the applicant submit evidence that she had filed for re-registration for the 2001-2002 periods. The applicant was also requested to submit photo identification. In response, the applicant submitted a copy of her State of Colorado Identification Card. The applicant also submitted a statement regarding her application for TPS for the 2001-2002 period. The applicant stated that she sent her TPS application to the Service in June 2001; however, she did not receive any response from the Service. In addition, she also states that she wrote several letters; however, she did not get a response. She also states that she attempted to file her TPS application again in November 2001.

On November 22, 2002, the director again requested the applicant to submit evidence showing that she had re-registered for the 2001-2002 period. The applicant, however, did not respond to the director's second request. The director 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 January 8, 2003.

On appeal, the applicant states that she did send an application in June 2001 for the TPS extension. She also states that she wrote letters to the Service requesting information regarding her case; however, she never received a response. Along with her appeal, the applicant submits copies of her earnings statements and a billing statement dated January 17, 2003. However, the applicant has not provided any evidence, such as money order receipts or receipt notices, from Citizenship and Immigration Services (CIS) 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.

ORDER: The appeal is dismissed.