



U.S. Citizenship
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Services

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FILE: [REDACTED] Office: TEXAS SERVICE CENTER Date: JUN 24 2005
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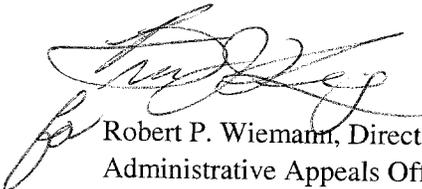
IN RE: Applicant: [REDACTED]

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

The applicant claims 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.

Although a Form G-28, Notice of Entry of Appearance as Attorney or Representative, has been submitted, [REDACTED] and Immigration Community Service/World Family Love Mission are not authorized under the regulations at 8 C.F.R. § 292.1 or 292.2 to represent the applicant. Therefore, she shall be considered as self-represented and the decision shall only be furnished to her.

On February 12, 2003, the director denied the application due to abandonment because the applicant failed to appear to be fingerprinted or request another appointment to be fingerprinted. The director informed the applicant that there is no appeal from a denial due to abandonment, but that she could file a motion to reopen the case within 33 days of the date of issuance of the Notice of Decision.

The applicant filed an appeal on February 21, 2003. The applicant stated that she had her fingerprints taken at the Application Support Center in Tampa, Florida on August 28, 2002 as instructed by the director's Form I-797C, Applicant Notice, dated August 7, 2002.

It is noted that the director's original Form I-797C and a completed Applicant Fingerprint Card, Form LE40-AV, dated August 28, 2002 for the applicant are contained in the record of proceedings.

There is no appeal from a denial due to abandonment. 8 C.F.R. 103.2(b)(15).

A field office decision made as a result of a motion may be appealed to the AAO only if the original decision was appealable to the AAO. 8 C.F.R. 103.5(a)(6).

In this case, the director denied the original application due to abandonment. Since the original decision was not appealable to the AAO, the AAO has no jurisdiction to consider the current appeal from the director's denial. Therefore, the appeal must be rejected.

ORDER: The appeal is rejected.