



U.S. Citizenship  
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FILE:



Office: CALIFORNIA SERVICE CENTER

Date: JUN 05 2006

[WAC 05 103 77796]

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:



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, Chief  
Administrative Appeals Office

**DISCUSSION:** The application was denied by the Director, California Service Center, (CSC), and is now before the Administrative Appeals Office, (AAO), on appeal. The appeal will be dismissed.

The applicant is stated to be a native and citizen of Honduras who is applying for Temporary Protected Status (TPS) under section 244 of the Immigration and Nationality Act (the Act), 8 U.S.C. § 1254.

The record reveals that the applicant filed a Form I-821, Application for Temporary Protected Status, under Citizenship and Immigration Services (CIS) receipt number EAC 99 200 50470. The Director, Vermont Service Center, denied that application November 27, 2000, after determining that the applicant had abandoned his application by failing to respond to a request to appear for fingerprinting. The applicant filed subsequent Form I-821 under CIS receipt number SRC 04 096 54882. The Director, Texas Service Center, denied that application on March 31, 2004, after determining that the applicant had failed to establish he was eligible for late initial registration. A subsequent appeal was dismissed by the Director, AAO, who determined that in addition to the applicant being ineligible for late initial registration, he had also failed to establish that he is a national or citizen of Honduras.

The applicant filed the current Form I-821, on January 11, 2005, and indicated that he was re-registering for TPS.

The CSC director denied the re-registration application because the applicant's initial TPS application had been denied and the applicant was not eligible to apply for re-registration for TPS.

If an alien is filing a re-registration application, a previous grant of TPS must have been afforded the applicant, as only those individuals who are granted TPS must register annually. In addition, the applicant must continue to maintain the conditions of eligibility. 8 C.F.R. § 244.17.

In this case, the applicant has not previously been granted TPS. Therefore, he is not eligible to re-register for TPS. Consequently, the director's decision to deny the application will be affirmed.

The application will be denied for the above stated reasons, with each considered as an independent and alternative basis for denial. 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.