

identifying data deleted to
prevent clearly unwarranted
invasion of personal privacy



U.S. Citizenship
and Immigration
Services

PUBLIC COPY

ML

[REDACTED]

FILE: [REDACTED]
[SRC 03 189 51796]

OFFICE: TEXAS SERVICE CENTER

DATE: SEP 26 2006

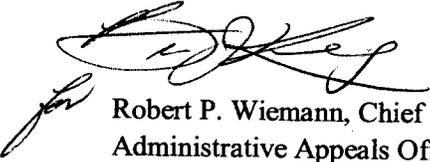
IN RE: Applicant: [REDACTED]

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 California Service Center. 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, and 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 is seeking 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, after the initial registration period under Citizenship and Immigration Services (CIS) receipt number SRC 99 261 50318. The director denied that application on September 7, 2004, after determining that the applicant had not established that she had continuously resided in this country since December 30, 1998.

A subsequent appeal was dismissed by the Director, AAO, who determined that in addition to the applicant being ineligible because she had failed to establish that she had continuously resided in the United States since December 30, 1998, she had also failed to document that she had been continuously physically present in this country since January 5, 1999 until the date she filed her initial application. The Director, AAO, also determined that the applicant had not established that she was eligible for late initial registration.

The applicant filed the current Form I-821, on December 17, 2004, and indicated that she was re-registering for TPS.

The 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.

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

ORDER: The appeal is dismissed.