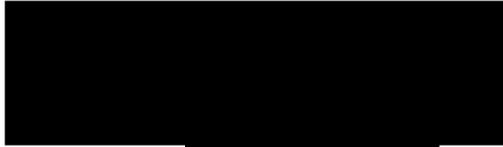




U.S. Citizenship  
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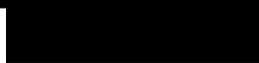
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prevent clearly unwarranted  
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FILE:



Office: CALIFORNIA SERVICE CENTER

Date: APR 03 2007

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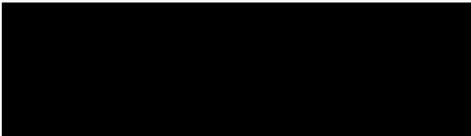
IN RE:

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.

A handwritten signature in black ink, appearing to read "Robert P. Wiemann".

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 claims to be a 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 TPS application during the initial registration period under CIS receipt number EAC 01 254 50840. The Director, Vermont Service Center, denied that application on April 3, 2002, because the applicant failed to establish her qualifying continuous residence and continuous physical presence in the United States during the requisite periods.

The applicant filed a second TPS application subsequent to the initial registration period under CIS receipt number EAC 04 141 52031. The Director denied that application on June 21, 2004, because the applicant failed to establish her qualifying continuous residence and continuous physical presence in the United States during the requisite periods.

The applicant filed an appeal on July 10, 2004. The AAO dismissed the appeal on September 23, 2005, because the applicant failed to submit sufficient evidence to establish her continuous residence and continuous physical presence in the United States since December 30, 1998. The AAO also noted that the applicant indicated on her TPS applications that she entered the United States in 2000, which is subsequent to the eligibility periods.

The applicant filed the current Form I-821, Application for Temporary Protected Status, on December 27, 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 the applicant is filing an application as a re-registration, 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, she is not eligible to re-register for TPS. Consequently, the director's decision to deny the application 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.