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U.S. Citizenship
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FILE: [REDACTED] Office: VERMONT SERVICE CENTER Date: **AUG 09 2007**
[EAC 99 205 50783] consolidated herein]

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:

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 "R. Wiemann".

Robert P. Wiemann, Chief
Administrative Appeals Office

DISCUSSION: The applicant's approved temporary protected status (TPS) was withdrawn by the Director, Vermont Service Center (VSC), and is now before the Administrative Appeals Office (AAO) on appeal.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 under section 244 of the Immigration and Nationality Act (the Act), 8 U.S.C. § 1254.

The director determined that the applicant failed to submit evidence to establish that he had successfully re-registered for temporary protected status during the period July 6, 2001 to July 5, 2002. The director, therefore, withdrew the applicant's temporary protected status.

On appeal, the applicant's previous counsel claims that a re-registration application for the period July 6, 2001 to July 5, 2002 was submitted timely.

The director may withdraw the status of an alien granted TPS under section 244 of the Act at any time if it is determined that the alien failed without good cause to register with the Attorney General annually within thirty (30) days before the end of each 12-month period after the granting of TPS. 8 C.F.R. § 244.14.

On November 8, 2002, the VSC director notified the applicant of the intent to withdraw his TPS because the record reflected that he had failed to re-register for TPS during the re-registration period between July 6, 2001 to July 5, 2002. The applicant was granted 30 days to submit evidence to show that he had re-registered for TPS. The applicant failed to respond. The VSC director determined the applicant had failed to submit evidence to establish that he had filed for re-registration during the required period and, therefore, withdrew the applicant's TPS.

The applicant, on appeal, states that he has provided all of the requested documents. However, the applicant has not submitted any evidence to establish that he re-registered for temporary protected status during the period July 6, 2001 to July 5, 2002 such as a receipt, proof of mailing, or a cancelled check. Therefore, he has not overcome the findings of the director pursuant to 8 C.F.R. § 244.14.

An alien applying for TPS 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.