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ADMINISTRATIVE APPEALS OFFICE
WASHINGTON, DC 20536

U.S. Department of Homeland Security
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Washington, DC 20529



U.S. Citizenship and Immigration Services

PUBLIC COPY

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FILE: [REDACTED] Office: NEBRASKA SERVICE CENTER Date: **AUG 31 2007**
[LIN 03 012 52220]

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, Chief
Administrative Appeals Office

DISCUSSION: The applicant's approved temporary protected status (TPS) was withdrawn by the Director, Nebraska Service Center (NSC), and is now before the Administrative Appeals Office (AAO) on appeal.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 NSC 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 TPS on March 5, 2003.

On appeal, the applicant states that he gave all the required information for his renewal application to a preparer in June 2002. However, when he returned to retrieve his completed renewal application, he was told that the office had lost his file.

The director may withdraw the status of an alien granted temporary protected status 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 December 5, 2002, the 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 responded with a letter explaining that that he gave all the required information for his renewal application to a preparer in June 2002. However, when he returned to retrieve his completed renewal application, he was told that the office had lost his file. The 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, submits a statement that merely repeats his above-mentioned explanation. The applicant, however, has not submitted any evidence to establish that he re-registered for TPS during the period July 6, 2001 to July 5, 2002.

The applicant's explanation regarding his failure to re-register for TPS timely, does not constitute good cause, because he did not submit any corroborating evidence, such as the name and location of the individual or organization that was helping him fill out his application. Furthermore, there is nothing in the record to indicate that any individual or office helped him in preparing the forms during his initial and subsequent applications. Finally, Citizenship and Immigration Services (CIS) is not responsible for inaction on the part of an applicant's representative. Therefore, it is concluded that the applicant 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.