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**U.S. Citizenship
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FILE:



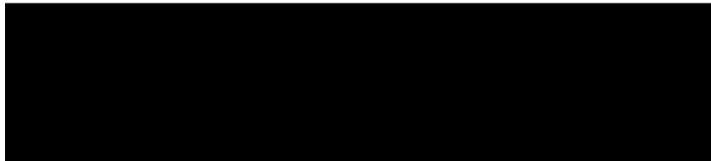
OFFICE: CALIFORNIA SERVICE CENTER

DATE: **DEC 03 2007**

[WAC 05 221 91505]

IN RE:

Applicant:



APPLICATION:

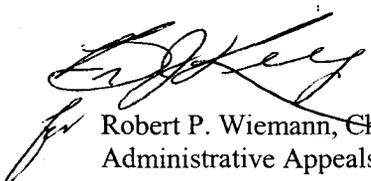
Application for Temporary Protected Status under Section 244 of the Immigration and Nationality Act, 8 U.S.C. § 1254

ON BEHALF OF APPLICANT:

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.


for Robert P. Wiemann, Chief
Administrative Appeals Office

DISCUSSION: The re-registration application was denied by the Director, California Service Center (CSC), and is now before the Administrative Appeals Office on appeal. The appeal will be sustained and the application will be approved.

The applicant is a native and citizen of El Salvador who is seeking Temporary Protected Status (TPS) under section 244 of the Immigration and Nationality Act (the Act), 8 U.S.C. § 1254.

Although a Form G-28, Notice of Entry of Appearance as Attorney or Representative, has been submitted, the individual named is not authorized under 8 C.F.R. § 292.1 or 292.2 to represent the applicant. Therefore, the applicant shall be considered as self-represented and the decision will be furnished only to the applicant.

The record reveals that the applicant filed a TPS application during the initial registration period on May 23, 2001, under receipt number SRC 01 221 64016. The Director, Texas Service Center (TSC), denied that application on February 14, 2003, because the applicant had failed to establish continuous physical presence in the United States from March 9, 2001, to the date of filing the application, and because she had failed to establish that she was eligible for late initial registration. On March 13, 2003, the applicant filed an appeal from the denial decision. The AAO has sustained that appeal and approved the TPS application.

During the pendency of the applicant's appeal, the applicant filed the current TPS application [WAC 05 221 91505] on May 9, 2005, and indicated that she was re-registering for TPS. The CSC director denied the re-registration application on August 16, 2005, because the applicant's initial TPS application had been denied and the applicant was not eligible to apply for re-registration for TPS. The applicant appealed this decision of the CSC director on September 19, 2005.

The CSC director's denial of the application for re-registration or renewal is dependent upon the adjudication of the initial application. Since the applicant's initial TPS application [SRC 01 221 64016] has been approved, the appeal from the denial of the re-registration will be sustained and that application will also be approved.

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 met this burden.

ORDER: The appeal is sustained and the application is approved.