



U.S. Citizenship
and Immigration
Services

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DEC 03 2007

FILE:

Office: VERMONT SERVICE CENTER

Date:

[EAC 06 243 50462]

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 office that originally decided your case. Any further inquiry must be made to that office.

Robert P. Wiemann, Chief
Administrative Appeals Office

DISCUSSION: The application was denied by the Director, Vermont Service Center (VSC). The matter is now before the Administrative Appeals Office (AAO) on appeal. The appeal will be rejected.

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.

The director denied the application because the applicant failed to establish that she had continuously resided in the United States since February 13, 2001, and had been continuously physically present in the United States since March 9, 2001. The director also determined that the applicant had failed to establish her eligibility for late registration.

"Affected Party" means the person or entity with legal standing in a proceeding. 8 C.F.R. § 103.3(a)(1)(iii)(B).

An appeal filed by a person or entity not entitled to file it must be rejected as improperly filed. In such a case, any filing fee which has been accepted will not be refunded. 8 C.F.R. § 103.3(a)(2)(v).

In this case, the appeal was filed by [REDACTED]. There is no Form G-28, Notice of Entry of Appearance as Attorney or Representative, contained in the record of proceeding to establish that [REDACTED] is authorized by the applicant to represent her in this matter, or that [REDACTED] is authorized under 8 C.F.R. § 292.1 or 292.2 to represent the applicant in immigration proceedings. Therefore, the appeal will be rejected as improperly filed.¹

As always in these proceedings, the burden of proof rests solely with the applicant. Section 291 of the Act, 8 U.S.C. § 1361.

ORDER: The appeal is rejected.

¹ It is also noted that the materials submitted on appeal do not overcome the grounds of denial discussed in the decision issued by the VSC director on February 20, 2007.