



U.S. Citizenship  
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FILE: [REDACTED] Office: California Service Center Date: JUL 05 2007  
[WAC 05 055 74229]

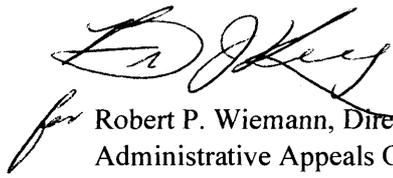
IN RE: Applicant: [REDACTED]

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 California Service Center. Any further inquiry must be made to that office.

  
for Robert P. Wiemann, Director  
Administrative Appeals Office

**DISCUSSION:** The application was denied by the Director, California Service Center, and is now before the Administrative Appeals Office 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 record reveals that the applicant filed a late initial TPS application on July 7, 2003, under CIS receipt number SRC 03 198 54446. The director, Texas Service Center, denied that application on March 29, 2004, because the applicant failed to establish that he was eligible for late initial registration for TPS. The record does not reflect that the applicant filed an appeal or a motion to re-open/reconsider.

The applicant filed the current Form I-821, Application for Temporary Protected Status, on November 24, 2004, under CIS receipt number WAC 05 055 74229, and indicated that he was re-registering for TPS. The director denied that application on July 23, 2005, because the applicant's initial TPS application had been denied and the applicant was not eligible to re-register for TPS.

On appeal, the applicant states that he entered the United States in June 1998, and he would like the opportunity to be free to work to support his family. With the appeal, in an attempt to establish his eligibility for TPS, the applicant submits copies of various documents including receipts, course completions, and a marriage certificate.

However, the applicant has failed to provide any evidence to establish that this application should be accepted as a late initial registration under 8 C.F.R. § 244.2(f)(2).

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, he 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.