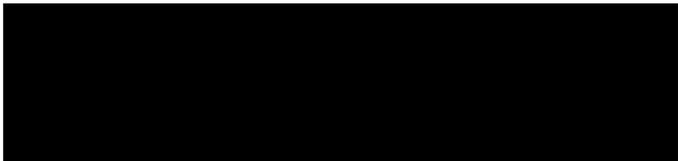




U.S. Citizenship  
and Immigration  
Services

identifying data deleted to  
prevent clearly unwarranted  
invasion of personal privacy

**PUBLIC COPY**



M 1

FILE:



OFFICE: CALIFORNIA SERVICE CENTER

DATE: **JUL 31 2007**

[WAC 05 089 76034]

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.

A handwritten signature in black ink, appearing to read "Robert P. Wiemann".

Robert P. Wiemann, Chief  
Administrative Appeals Office

**DISCUSSION:** The application was denied by the Director, California Service Center (CSC). A subsequent appeal was dismissed by the Administrative Appeals Office (AAO). The matter is now before the AAO on a motion to reopen. The motion 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 director denied the re-registration application on July 23, 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 the director's decision to the AAO on August 22, 2005. The AAO reviewed the record of proceeding and noted that the applicant's initial TPS application [SRC 02 180 55076] was denied by the Director, Texas Service Center, on August 5, 2002, because the applicant had failed to submit evidence to establish that she was eligible for late registration; the applicant filed a subsequent motion to reopen (on September 4, 2003) from the AAO's decision which was dismissed on September 16, 2004; and that the applicant again filed a motion to reopen on November 22, 2004, which was being addressed under separate cover. Because the applicant had not previously been granted TPS, the applicant was not eligible to re-register for TPS; therefore, the AAO affirmed the CSC director's decision and dismissed the appeal on November 22, 2006.

A motion to reopen was filed on December 15, 2006. The applicant requests that she be given the opportunity to be legal in this country because she has been living in the United States since 1998; she submits additional evidence in an attempt to establish residence and physical presence in the United States during the requisite periods.

Pursuant to 8 C.F.R. § 103.5(a)(2), a motion to reopen must state the new facts to be proved at the reopened proceedings and be supported by affidavits or other documentary evidence. A motion that does not meet applicable requirements shall be dismissed. 8 C.F.R. § 103.5(a)(4). A review of the record reveals that the applicant has presented no new facts or other documentary evidence in support of the motion to reopen, and to establish that she was eligible for re-registration. Additionally, the applicant neither addressed nor submitted any evidence to establish her eligibility for late registration.

Accordingly, the motion will be dismissed, and the previous decisions of the AAO will be affirmed.

It is noted that the applicant appears to be attempting to prolong the appeal process indefinitely and outside of any remedies remaining available to her.

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 motion is dismissed. The decision of the AAO dated November 22, 2006, is affirmed.