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U.S. Department of Homeland Security  
20 Massachusetts Ave., N.W., Rm. 3000  
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U.S. Citizenship  
and Immigration  
Services

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[REDACTED]

FILE: [REDACTED] OFFICE: California Service Center DATE: MAY 08 2007  
[consolidated with  
[REDACTED]  
[WAC 05 228 78074]

IN RE: Applicant: [REDACTED]

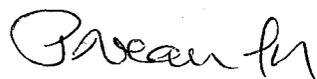
APPLICATION: Application for Temporary Protected Status under Section 244 of the Immigration  
and Nationality Act, 8 U.S.C. § 1254

ON BEHALF OF APPLICANT:

[REDACTED]

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, California Service Center. It is now on appeal before the Administrative Appeals Office (AAO). The appeal will be dismissed.

The applicant is a 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 an initial TPS application on July 21, 2003, at the Texas Service Center under Citizenship and Immigration Services (CIS) receipt number SRC 03 205 55688. The director denied that application on March 8, 2004, on the ground of abandonment after the applicant failed to respond to two notices of intent to deny, sent to the address provided by the applicant, requesting evidence in support of the application.

The applicant filed the current Form I-821, Application for Temporary Protected Status, on March 21, 2005. The director denied the application on July 26, 2006, because the applicant's initial TPS application had been denied and the applicant was not eligible to re-register for TPS.

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. *See* 8 C.F.R. § 244.17.

On appeal counsel asserts that the application was erroneously denied. Counsel has not identified any specific errors in the decision, however, and has not provided any further evidence in support of the application.

In this case, the applicant has not previously been granted TPS. Therefore, he is not eligible to re-register for TPS. Accordingly, the director's decision to deny the application will be affirmed.

Even if the applicant were attempting to file a late initial application for TPS instead of an annual re-registration, there is no evidence in the record to suggest that the applicant – who filed both of his TPS applications long after the close of the initial registration period for Honduran nationals on August 20, 1999 – is eligible for late TPS registration under 8 C.F.R. § 244.2(f)(2).

An alien applying for Temporary Protected Status, or 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 that burden.

**ORDER:** The appeal is dismissed.