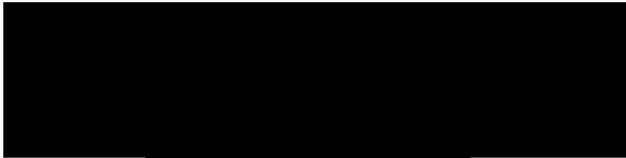


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U.S. Citizenship
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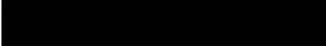
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MAY 21 2007

FILE:



Office: CALIFORNIA SERVICE CENTER

Date:

[WAC 05 256 70632]

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:



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DISCUSSION: The applicant's Temporary Protected Status was withdrawn and an application for re-registration was simultaneously denied by the Director, California Service Center, and is now before the Administrative Appeals Office (AAO) on appeal. The appeal will be dismissed.

The applicant claims to be a 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 record reveals that the applicant filed a TPS application during the initial registration period on April 16, 2001, under Citizenship and Immigration Services (CIS) receipt number SRC 01 181 67008. The Director, Texas Service Center, approved that application on January 23, 2003.

The applicant filed the current Form I-821, Application for Temporary Protected Status, on June 13, 2005, and indicated that he was re-registering for TPS.

The record reveals the following offenses:

- (1) On August 31, 2003, the applicant was arrested by the Irving, Texas Police Department for "Driving while Intoxicated."
- (2) On August 29, 2004, the applicant was arrested by the Irving, Texas Police Department for "Practicing W/O Nursing Facility License."
- (3) On October 10, 2004, the applicant was arrested by the Irving, Texas Police Department for (1)"Fail to Identify Giving False/Fictitious Info" and (2) "Driving With License Invalid.

The director withdrew temporary protected status because the applicant had failed to submit requested court documentation relating to his criminal record.

On appeal, the applicant provided a copy of a Misdemeanor Record Section report indicating the applicant pled guilty to the charges listed above. Consequently, the applicant is ineligible for temporary protected status because of his misdemeanor convictions. 8 C.F.R. § 244.4(a).

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 will be dismissed.