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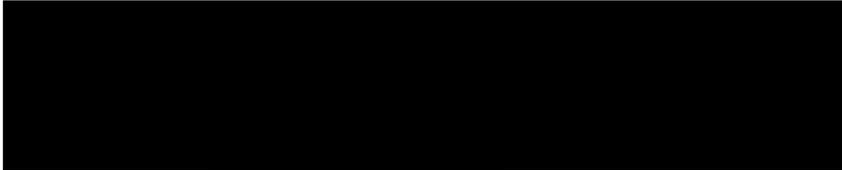
U.S. Department of Homeland Security  
20 Massachusetts Ave., N.W., Rm. 3000  
Washington, DC 20529



U.S. Citizenship  
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FILE: [Redacted] Office: California Service Center Date: MAY 30 2007  
[WAC 06 265 5014], as it relates to WAC 05 048 75170  
And SRC 03 200 55566]

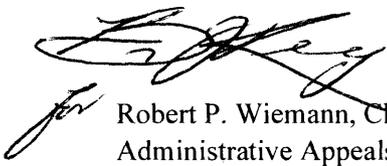
IN RE: Applicant: [Redacted]

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 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. A subsequent appeal was dismissed by the Director, Administrative Appeals Office. The matter is now before the Administrative Appeals Office (AAO) on a motion to reopen. The motion to reopen will be dismissed.

The applicant is a citizen of Honduras who is applying for 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 his initial TPS application, on July 8, 2003, subsequent to the initial registration period, under CIS receipt number SRC 03 200 55566. The director, Texas Service Center, denied that application on January 4, 2004, because the applicant failed to establish eligibility for late initial registration for TPS. The record reflects that a subsequent appeal to the AAO was dismissed on June 26, 2005. On July 25, 2005, the applicant filed a motion to reopen the AAO decision. On July 26, 2006, the AAO dismissed the motion, and affirmed the previous decision of the AAO.

The applicant filed the current Form I-821, Application for Temporary Protected Status, on November 17, 2004, under CIS receipt number WAC 05 048 75170, and indicated that he was re-registering for TPS. The Director, California Service Center, denied the re-registration application on September 19, 2005, as the applicant's initial TPS application had been denied and the applicant was not eligible to apply for re-registration for TPS. A subsequent appeal to the AAO was dismissed on July 26, 2006. The AAO Director concurred with the decision of the California Service Center Director, and dismissed the appeal, noting that the applicant failed to establish his eligibility for late initial registration.

A motion to reopen must state the new facts to be proved at the reopened proceeding, and be supported by affidavits or other documentary evidence. 8 C.F.R. § 103.5(a)(2).

A motion to reconsider must state the reason for reconsideration and be supported by any pertinent precedent decisions to establish that the decision was based on an incorrect application of law or Service policy ... [and] must, when filed, also establish that the decision was incorrect based on the evidence of record at the time of the initial decision. 8 C.F.R. § 103.5(a)(3).

A motion that does not meet applicable requirements shall be dismissed. 8 C.F.R. § 103.5(a)(4).

The applicant's motion to reopen consists only of a statement that he would like his case reopened to give him an opportunity to be legal in this country. The applicant does not submit evidence with the motion. There was no documentation relating to applicant's late initial registration. The primary basis for the denial of the application and the appeal was the applicant's failure to file his Application for Temporary Protected Status within the initial registration period or to establish his eligibility for late registration for TPS. The motion does not address the applicant's eligibility to reregister for TPS, or to file for late initial registration for TPS. As such, the issues on which the underlying decisions were based have not been addressed or overcome on motion.

The burden of proof in these proceedings rests solely with the applicant. Section 291 of the Act, 8 U.S.C. § 1361. That burden has not been met since the applicant has not provided any new facts or additional evidence to overcome the previous decisions of the AAO. Accordingly, the motion to reopen will be dismissed and the previous decisions of the AAO will not be disturbed.

**ORDER:** The motion to reopen is dismissed. The previous decisions of the AAO dated July 26, 2006 is affirmed.