

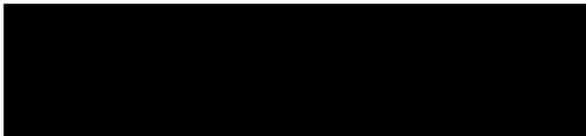
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**U.S. Citizenship  
and Immigration  
Services**

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FILE:

[WAC 0124258038]

OFFICE: Los Angeles District Office

DATE: **JAN 22 2008**

INRE:

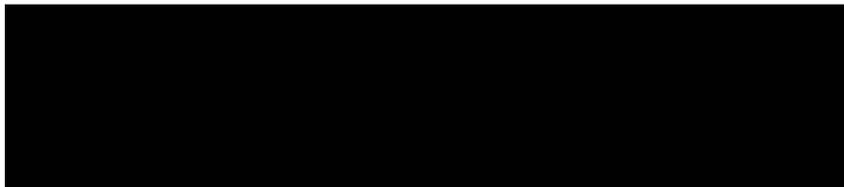
Applicant:



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.

**DISCUSSION:** The application was denied by the District Director, Los Angeles, California, and is now before the Administrative Appeals Office (AAO) on appeal. The appeal will be dismissed.

The director denied application because the applicant failed to establish that she is a national of a foreign state designated by the Attorney General and eligible for the granting of Temporary Protected Status (TPS) under section 244 of the Immigration and Nationality Act (the Act), 8 U.S.c. § 1254.

The record reflects that the applicant is a citizen and national of Mexico. Counsel asserts on appeal that the applicant is eligible for TPS because she is the child of a citizen of El Salvador, a designated state.

Section 244(c) of the Act, and the related regulations in 8 C.F.R. § 244.2(a), provide that an applicant is eligible for TPS only if such alien establishes that he or she:

Is a national of a foreign state designated under section 244(b) of the Act; ....

Mexico is not a state designated for TPS under section 244(b) of the Act.

Counsel asserts that the applicant is eligible for TPS because her father is El Salvadoran. But the record does not show that the applicant ever acquired El Salvadoran citizenship. The applicant has provided a copy of her birth certificate, which states that she was born in Mexico. On her initial applications for TPS and for employment authorization in the United States, as well as on subsequent applications, the applicant has uniformly identified Mexico as her country of citizenship.

As a citizen and national of Mexico, the applicant is ineligible for the provisions of section 244 of the Act.

An alien applying for 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 this burden.

**ORDER:** The appeal is dismissed.