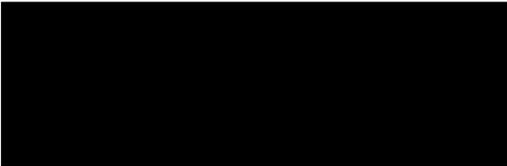


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Services

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FILE:



Office: California Service Center

Date:

JAN 30 2008

[EAC 06 250 81835]

IN RE:

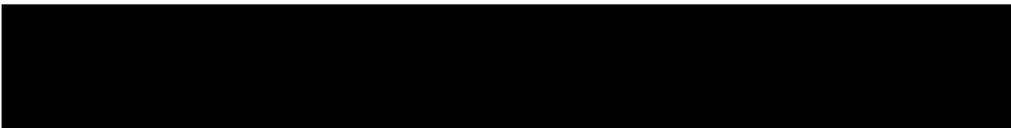
Applicant:



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 California Service Center. Any further inquiry must be made to that office.

Robert P. Wiemann, Chief
Administrative Appeals Office

DISCUSSION: The initial application was denied by the Director, Texas Service Center, and was approved by the Administrative Appeals Office (AAO) on appeal. A subsequent application for re-registration was denied by the Director, California Service Center, and is currently before the Administrative Appeals Office (AAO) on appeal. The appeal will be sustained and the application will be approved.

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 a late initial TPS application on June 11, 2002, under CIS receipt number SRC 02 198 55652. The Director, Texas Service Center, denied the application, on December 11, 2003, because the applicant failed to establish that she was eligible for late initial registration. The Chief, AAO, sustained the subsequent appeal and approved TPS, in a separate decision issued simultaneously with this decision.

The applicant filed the current Form I-821, Application for Temporary Protected Status, on June 7, 2006, under CIS receipt number EAC 06 250 81835, and indicated that she was re-registering for TPS. The Director, California Service Center, denied the re-registration application on June 28, 2005, because the applicant's initial TPS application had been denied and the applicant was not eligible to re-register for TPS.

However, as noted above, in a decision issued simultaneously with this decision, the AAO approved the initial application.

Since the initial application has been approved, the appeal from the denial of the re-registration will be sustained and that application will also be approved.

The burden of proof in these proceedings rests solely with the applicant. Section 291 of the Act, 8 U.S.C. § 1361. The applicant has sustained that burden.

ORDER: The re-registration application is approved. The appeal is sustained.