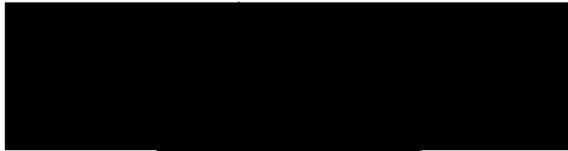




U.S. Citizenship
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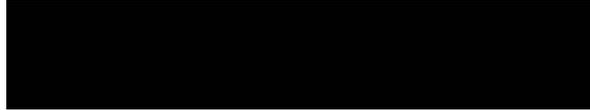
Office: CALIFORNIA SERVICE CENTER

Date:

[WAC 05 112 70794]

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:

SELF-REPRESENTED

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DISCUSSION: The applicant's Temporary Protected Status was withdrawn and an application for re-registration was simultaneously denied by the Director, California Service Center. The matter is now before the Administrative Appeals Office (AAO) on appeal. 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 director may withdraw the status of an alien granted Temporary Protected Status under section 244 of the Act at any time if it is determined that the alien was not in fact eligible at the time such status was granted, or at any time thereafter becomes ineligible for such status. 8.C.F.R. § 244.14(a)(1).

The record reveals that the applicant filed a TPS application during the initial registration period on April 27, 2001, under receipt number SRC 01 197 56252. The Director, Texas Service Center, approved that application on February 24, 2000.

The applicant filed the current Form I-821, Application for Temporary Protected Status, on November 17, 2004, and indicated that she was re-registering for TPS.

The record reveals that on January 18, 2003, the applicant was arrested by the Miami, Florida Police Department for "Reckless Driving", a misdemeanor, and "Driving Under the Influence", a misdemeanor.

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

On appeal, the applicant states that she did have a traffic violation in 2002 and everything was paid according to the law. The applicant also submits court documentation regarding the arrests. According to the documentation provided by the applicant, the applicant was convicted of "Reckless Driving" on July 6, 2004 and convicted of "Driving Under the Influence" on February 14, 2003.

Beyond the director's decision, the record of proceeding reflects that on February 9, 1995, an immigration judge ordered the applicant removed from the United States to Honduras. A Warrant of Removal/Deportation, Form I-205, was issued on February 9, 1995. The applicant failed to appear at the Miami district office on June 6, 1996, for her enforced departure.

The application will be denied for the above stated reasons, with each considered as an independent and alternative basis for denial. 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 is dismissed.