

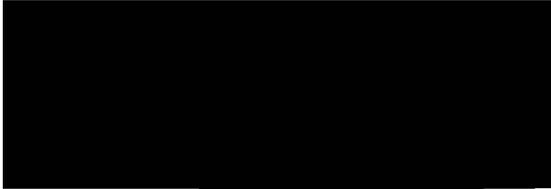
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U.S. Department of Homeland Security  
20 Mass. Ave., N.W., Rm. 3000  
Washington, DC 20529



U.S. Citizenship  
and Immigration  
Services

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FILE: [Redacted] Office: CALIFORNIA SERVICE CENTER  
[WAC 05 230 52081, appeal]

Date: MAR 26 2008

INRE: Applicant: [Redacted]

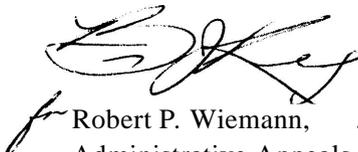
APPLICATION: Application for Temporary Protected Status under Section 244 of the Immigration and Nationality Act, 8 U.S.C. § 1254

ON BEHALF OF APPLICANT:



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.

  
for Robert P. Wiemann, . f  
Administrative Appeals Office

DISCUSSION: The application for Temporary Protected Status (TPS) was denied by the Director, Texas Service Center (TSC). The applicant submitted a Form I-290B, Notice of Appeal to the Administrative Appeals Office (AAO). The appeal will be rejected.

The applicant is a citizen of Honduras who is seeking Temporary Protected Status under section 244 of the Immigration and Nationality Act (the Act), 8 U.S.C. § 1254.

The applicant filed an application for TPS under receipt number SRC 04 138 54027 on April 16, 2004, after the initial registration period for Hondurans had expired. The TSC director denied the application on June 2, 2004, after determining that the applicant had failed to establish his continuous residence and continuous physical presence in the United States during the requisite period as well as his eligibility to file for late initial registration. The director noted in the decision that the applicant had stated on his TPS application that he had entered the United States on March 24, 2003.

The applicant submits a Form I-290B, Notice of Appeal to the Administrative Appeals Office (AAO), (WAC 05 230 52081, *appeal*) which bears the Citizenship and Immigration Services (CIS) receipt number WAC 05 054 74864. He submits a copy of a July 23, 2005 denial of a TPS re-registration application by the Director, California Service Center (CSC), which was addressed to \_\_\_\_\_ The applicant states in part: "WAC 05 054 74864 please be advised that this reference belongs to my father who is called the same as myself." The applicant further states that his father has received his last five employment authorization cards, therefore, he assumed the notice was intended for him.

The July 23, 2005 decision does not show an alien registration number (A number); however, CIS records reflect that receipt WAC 05 054 74864 was assigned to file \_\_\_\_\_ Ibelonging to the applicant's father \_\_\_\_\_ (date of birth March 1, 1963), residing at the same address as the applicant. Clearly, the July 23, 2005 denial notice was intended for the applicant's father.

In this case, the applicant has not previously been granted TPS. He did not submit an application for re-registration, nor is he eligible to re-register for TPS. Consequently, the initial denial by the Texas Service Center Director is the final decision in this case. Since there is no appeal of the decision in the present matter, the appeal will be rejected.

ORDER:                      The appeal is rejected.