



U.S. Citizenship
and Immigration
Services

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[REDACTED]

FILE:

[REDACTED]

Office: VERMONT SERVICE CENTER

Date: SEP 02 2008

[EAC 07 354 71214]

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:

[REDACTED]

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DISCUSSION: The applicant's Temporary Protected Status was withdrawn and an application for re-registration was simultaneously denied by the Director, Vermont Service Center, and is now before the Administrative Appeals Office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 record reveals that the applicant filed a TPS application during the initial registration period on March 26, 1999, under Citizenship and Immigration Services (CIS) receipt number EAC 99 189 50235. The Director, Texas Service Center, approved that application on October 18, 2000.

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 applicant filed the current Form I-821, Application for Temporary Protected Status, on August 29, 2007, and indicated that he was re-registering for TPS.

The record reveals the following offenses:

- (1) On January 3, 1997, the applicant was arrested by the North Brunswick, New Jersey Police Department for "Theft of Movable Property", and "Receive Stolen Property."

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

On appeal, the applicant claims that all of his criminal charges were dismissed. The applicant submits letters from his counsel in support of this allegation. However, neither counsel nor the applicant provides the requested court documentation to support this claim. Therefore, he has not overcome the findings of the director pursuant to 8 C.F.R. § 244.14.

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.