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U.S. Department of Homeland Security
20 Mass, Rm. A3042, 425 I Street, N.W.
Washington, DC 20536

U.S. Citizenship and Immigration Services

PUBLIC COPY

[redacted]

APR 20 2004

FILE: [redacted] Office: VERMONT SERVICE CENTER Date:

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: SELF-REPRESENTED

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.

Cindy N. Gomez for
Robert P. Wiemann, Director
Administrative Appeals Office

DISCUSSION: The applicant's temporary protected status was withdrawn by the Director, Vermont Service Center, and is now before the Administrative Appeals Office on appeal. The appeal will be rejected.

The applicant is a native and 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 determined that the applicant failed to submit evidence to establish that he had successfully re-registered for temporary protected status. The director, therefore, withdrew the applicant's temporary protected status.

As stated in 8 C.F.R. § 103.3(a)(2)(i): "The affected party shall file an appeal on Form I-290B." 8 C.F.R. § 103.3(a)(2)(v) states:

> "*Improperly filed appeal--(A) Appeal filed by person or entity not entitled to file it--(1) Rejection without refund of filing fee.* An appeal filed by a person or entity not entitled to file it must be rejected as improperly filed. In such a case, any filing fee the Service has accepted will not be refunded."

The appeal has not been filed by the applicant, but rather, by a [redacted] identifying himself as a representative of the applicant. However, no Form G-28, Notice of Entry of Appearance as Attorney or Representative, is included in the record. In addition, the applicant has not signed the Form I-290B, Notice of Appeal.

8 C.F.R. § 103.2(a)(3) states, in pertinent part:

> An applicant or petitioner may be represented by an attorney in the United States...[w]here a notice of representation is submitted that is not properly signed, the application or petition will be processed as if the notice had not been submitted.

The appeal has not been filed by the applicant, or by any entity with legal standing in the proceeding. Therefore, the appeal has not been properly filed and must be rejected.

ORDER: The appeal is rejected