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U.S. Department of Homeland Security
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U.S. Citizenship
and Immigration
Services

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FILE:



Office: ATLANTA

Date:

NOV 15 2007

[EAC 06 018 70707]

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 office that originally decided your case. Any further inquiry must be made to that office.

Robert P. Wiemann, Chief
Administrative Appeals Office

DISCUSSION: The Temporary Protected Status (TPS) application was denied by the District Director Atlanta, Georgia, and is now before the Administrative Appeals Office (AAO) on appeal. The appeal will be dismissed.

The applicant is native and citizen of Liberia who is seeking 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 during the period August 25, 2004 to February 21, 2005. The director, therefore, withdrew the applicant's temporary protected status.

On appeal, the applicant states that he missed the last re-registration application because of an emergency family situation.

The director may deny 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 failed without good cause to register with the Attorney General annually within thirty (30) days before the end of each 12-month period after the granting of TPS. 8 C.F.R. § 244.14.

On May 13, 2005, the director notified the applicant of the intent to withdraw his temporary protected status because the record reflected that he had failed to re-register for TPS during the re-registration period between August 25, 2004 to February 21, 2005. The applicant was granted 30 days to submit evidence to show that he had re-registered for TPS. The applicant failed to provide any evidence to overcome the basis of the director's denial. The director determined the applicant had failed to submit evidence to establish that he had filed for re-registration during the required period and, therefore, withdrew the applicant's temporary protected status.

The applicant, on appeal, states that he did not apply during the indicated re-registration period because of a family emergency. According to the applicant his mother was having health problems in Maryland that required him to contribute to her well-being. The applicant requests that he be excused for late filing for this period based on humanitarian reasons. The applicant's statements made on appeal have been considered. Nevertheless, there is no waiver available, even for humanitarian reasons, of the requirements stated above. The applicant has not submitted any evidence to establish that he re-registered for temporary protected status during the period August 25, 2004 to February 21, 2005. 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.