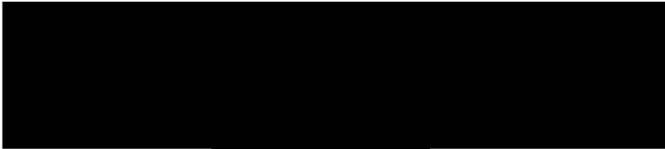




U.S. Citizenship
and Immigration
Services

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prevent clearly unwarranted
invasion of personal privacy

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OCT 02 2008

FILE: [REDACTED]
[SRC 01 174 54921]

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 Vermont Service Center. Any further inquiry must be made to that office.

A handwritten signature in black ink, appearing to read "R. Wiemann".

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DISCUSSION: The applicant's Temporary Protected Status was withdrawn and an application for re-registration was simultaneously denied by the Director, Vermont Service Center, and is now before the Administrative Appeals Office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 El Salvador 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 April 9, 2001, under Citizenship and Immigration Services (CIS) receipt number SRC 01 174 54921. The Director, Texas Service Center, approved that application on September 21, 2005.

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 a Form I-821, Application for Temporary Protected Status, on January 20, 2005, under receipt number WAC 05 213 81117 and indicated that he was re-registering for TPS.

The record reveals the following offenses:

- (1) On October 8, 1983, the applicant was arrested by the Houston, Texas Police Department for "Driving While Intoxicated."
- (2) On June 19, 2005, the applicant was arrested by the DeKalb, Georgia Police Department for "Driving Under the Influence."

The applicant furnished the final disposition of the June 19, 2005 arrest, which indicated he had been convicted on September 8, 2005 (Case Number [REDACTED]). The director withdrew temporary protected status because the applicant failed to submit requested court documentation relating to all of his criminal record.

On appeal, the applicant states that he needs to be legal in the United States in order to help his family.

It is noted that the applicant was specifically requested to provide proof of a record search under the name of [REDACTED], the name under which he was arrested. However, the applicant submitted a letter from the Harris County District Court of a record search under the name of [REDACTED], which disclosed no criminal charges (emphasis added). Therefore, the applicant failed to provide information necessary for the adjudication of his application. 8 C.F.R. § 244.9(a).

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.