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U.S. Department of Homeland Security  
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Washington, DC 20529



U.S. Citizenship  
and Immigration  
Services

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[REDACTED]

FILE:

[REDACTED]

Office: Vermont Service Center

Date: APR 11 2005

[EAC 99 189 52579]

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*

Robert P. Wiemann, Director  
Administrative Appeals Office

**DISCUSSION:** The applicant's Temporary Protected Status (TPS) was withdrawn by the Director, Vermont Service Center, and the case is now before the Administrative Appeals Office (AAO) on appeal. The appeal will be dismissed.

The applicant is a native and citizen of Honduras who was granted TPS on November 3, 1999.

The director subsequently withdrew the applicant's TPS on April 4, 2003, when it was determined that the applicant had failed to submit a required annual re-registration.

An alien who has been granted TPS must register annually with the district office or service center having jurisdiction over the alien's place of residence 8 C.F.R. § 244.17(a).

TPS shall be withdrawn if the alien fails, without good cause, to register annually, at the end of each 12-month period after the granting of such status, in a form and manner specified by the Attorney General. Section 244(c)(3)(c) INA.

The record reveals that on November 3, 1999, the director approved the application for TPS. However, the record does not reflect an attempt by the applicant to re-register for the 2001-2002 period.

On November 2, 2002, the director notified the applicant that her TPS would be "withdrawn unless you can submit additional evidence to show that you had registered on time or that you had a good reason for not registering."

The applicant failed to respond to the notice. Therefore, the director concluded that the applicant had failed to overcome the grounds stated in the Notice of Intent to Withdraw and withdrew the applicant's TPS on April 4, 2003.

On appeal, the applicant states that she has had employment authorization from March 16, 1993 to the present. The applicant submits copies of her Employment Authorization Cards from 1993 to 1999. The applicant further states that she has been filing her income tax and needs her employment authorization card to continue to work.

The applicant filed her Form I-821 and I-765 for re-registration on May 4, 2000. The director noted in a letter dated July 4, 2000, that the Form I-821 must be signed with an original signature and returned to the Service by September 5, 2000. The record shows that the application was properly received by the Vermont Service Center on October 2, 2000. Her next application was filed on July 5, 2002.

The director may withdraw the status of an alien granted TPS under section 244 of the Act if the alien fails 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. § 244.17(c).

Although the director provided the applicant the opportunity to provide an explanation for her failure to re-register, she did not provide this explanation.

It is noted that the applicant applied for, and was granted advance authorization to depart the United States on January 19, 2001, and that she re-entered the United States at Miami, Florida on February 15, 2001.

An alien applying for TPS 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 not met this burden.

**ORDER:** The appeal is dismissed.