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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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FILE:

[REDACTED]

Office: Nebraska Service Center

DEC 08 2005
Date:

[LIN 03 193 51659]

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.

Robert P. Wiemann, Director
Administrative Appeals Office

DISCUSSION: The applicant's Temporary Protected Status was withdrawn by the Director, Nebraska Service Center, and the case is now before the Administrative Appeals Office (AAO) on appeal.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 Temporary Protected Status on January 20, 2000. The director subsequently withdrew the applicant's Temporary Protected Status on November 7, 2003, when it was determined that the applicant had failed to submit the required annual re-registration for a 12-month period subsequent to the approval of his application.

An alien who has been granted Temporary Protected Status 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).

Temporary Protected Status shall be withdrawn if the alien fails, without good cause, to register annually, at the end of each 12-month period after the granting of such status, in a form and manner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 January 20, 2000, the director approved the application for Temporary Protected Status. The record also reveals that the applicant subsequently re-registered for the 2003-2004 period. The record also reveals that the applicant's last Employment Authorization Document (EAD) expired on July 5, 2000. The director determined that the record does not reflect an attempt by the applicant to re-register for TPS continuously each year.

In a letter dated June 27, 2003, the director requested that the applicant submit evidence that he had filed for re-registration for each year. The applicant responded to the director's request. The director concluded that the applicant had failed to establish that he had successfully re-registered for the each year, and withdrew the applicant's TPS on November 7, 2003.

On appeal, the applicant states that he is able to provide proof of his continuous residence in the United States before December 31, 1998. The applicant did not provide any additional documentation along with his appeal.

A review of the record and CIS' systems indicates that the applicant did not re-register for the periods: 2000-2001 and 2002-2003. It is noted that the director returned the applicant's applications for temporary protected status and employment authorization on July 15, 2002, because the applicant did not submit the proper fees. The applicant has not provided any evidence, such as money order receipts or a receipt notices, from Citizenship and Immigration Services (CIS) to establish that re-registrations had been filed for the 2000-2001 and 2002-2003 periods. Consequently, the director's decision to withdraw the applicant's Temporary Protected Status will be affirmed.

Although a Form G-28, Notice of Entry of Appearance as Attorney or Representative, has been submitted, the individual named is not authorized under 8 C.F.R. § 292.1 or 292.2 to represent the applicant. Therefore, the applicant shall be considered as self-represented and the decision will be furnished only to the applicant.

Additionally, the applicant had provided copies of his Honduran government issued birth certificate and passport bearing the name [REDACTED]. It is noted that the record contains evidence bearing the name of [REDACTED] however, the applicant has not provided any credible evidence to establish the legal use of the alias [REDACTED].

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.