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U.S. Citizenship
and Immigration
Services

MI

FILE:

[REDACTED]
[EAC 03 072 54182]

Office: VERMONT SERVICE CENTER

Date: MAR 18 2005

IN RE:

Applicant: [REDACTED]

APPLICATION:

Application for Employment Authorization under 8 C.F.R. § 274a.12(c)(19)

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.

for Robert P. Wiemann, Director
Administrative Appeals Office

DISCUSSION: The application was denied 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 El Salvador who was granted Employment Authorization under 8 C.F.R. § 274a.12(c)(19) as an alien with a pending application for Temporary Protected Status. The director subsequently denied the underlying application for Temporary Protected Status. On December 2, 2003, the director denied the Application for Employment Authorization "because the I-821 Application for Temporary Protected Status (TPS) on which it was based was denied."

As stated in the Notice of Decision to Deny, there is no appeal of the director's decision in the present matter. 8 C.F.R. § 274a.13(c). If the applicant has additional evidence for the record, such documentation should be forwarded on a motion to reopen to the office having jurisdiction over the present application (the office which rendered the initial decision). Since there is no appeal of the decision in the present matter, the appeal will be rejected.

As always in these proceedings, the burden of proof rests solely with the applicant. Section 291 of the Act, 8 U.S.C. § 1361.

ORDER: The appeal is rejected.