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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:



Office: Nebraska Service Center

Date: MAR 31 2005

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:

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DISCUSSION: The applicant's Temporary Protected Status was withdrawn by the Director, Nebraska Service Center, and the case is now before the Administrative Appeals Office (AAO) on appeal.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 11, 2000. The director subsequently withdrew the applicant's Temporary Protected Status on November 5, 2003, when it was determined that the applicant had failed to submit the required annual re-registration for two 12-month period subsequent to the approval of her 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Temporary Protected Status shall be withdrawn if the alien fails, without good cause, to register annually, at the end of each 12-month period after the granting of such status, in a form and manner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 11, 2000, the director approved the application for Temporary Protected Status. The record also reveals that the applicant subsequently re-registered and that an extension of her employment authorization was granted for the 2000-2001 period. However, the record does not reflect an attempt by the applicant to re-register for the 2001-2002 and 2002-2003 periods.

In a letter dated August 15, 2003, the director requested that the applicant submit evidence that she had filed for re-registration for the 2001-2002 and 2002-2003 periods. On September 15, 2003, the applicant responded to the director's letter and requested additional time to submit documentation in support of her claim for TPS. However, the applicant did not submit any additional evidence within the allotted time frame. Therefore, the director concluded that the applicant had failed to establish that she had successfully re-registered for the 2001-2002 and 2002-2003 periods, and withdrew the applicant's TPS on November 5, 2003.

On appeal, the applicant submits evidence in an attempt to establish her entry into the United States prior to December 30, 1998, and to establish her continuous residence in the United States since October 5, 1999. However, 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 a re-registration had been filed for the 2001-2002 and 2002-2003 periods. Consequently, the director's decision to withdraw the applicant's Temporary Protected Status will be affirmed.

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.