



U.S. Citizenship  
and Immigration  
Services

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FILE: [REDACTED]  
[WAC 05 102 70239]

Office: CALIFORNIA SERVICE CENTER

Date: DEC 27 2007

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

*John P. Vianna*  
*for*

Robert P. Wiemann, Chief  
Administrative Appeals Office

**DISCUSSION:** The application was denied by the Director, California Service Center (CSC), and is now before the Administrative Appeals Office (AAO) on appeal. The appeal will be dismissed.

The applicant is a citizen of Honduras 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 an initial Form I-821, Application for Temporary Protected Status, at the Vermont Service Center (VSC) during the initial registration period under Citizenship and Immigration Services (CIS) receipt number EAC 99 190 53281. The application was approved on May 25, 2000. The VSC director withdrew the approval of that application on January 3, 2003, however, because the applicant failed to respond to a Notice of Intent to Withdraw the approval of her TPS on the ground that she had not re-registered, as required, for the registration period of July 6, 2001, to July 5, 2002. No appeal was filed.

The applicant filed the current TPS application at the CSC on January 10, 2005, and indicated that she was re-registering for TPS. The CSC director denied the re-registration application on July 23, 2005, because the applicant was not eligible to re-register for TPS.

If the applicant is filing an application as a re-registration, TPS must have been afforded the applicant, as only those individuals who are granted TPS must register annually. In addition, the applicant must continue to maintain the conditions of eligibility. 8 C.F.R. § 244.17.

In this case, the applicant's TPS status had been withdrawn on January 3, 2003. Therefore, she is not eligible to re-register for TPS. Consequently, the director's decision to deny the application will be affirmed.

There is no indication that the applicant was attempting to file a late initial application for TPS instead of an annual re-registration. Moreover, there is no evidence in the file to suggest that the applicant is eligible for late registration for TPS under 8 C.F.R. § 244.2(f)(2).

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.