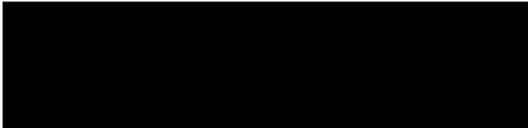


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FILE:



Office: CALIFORNIA SERVICE CENTER

Date: MAR 02 2007

[WAC 05 074 72655 as it relates to SRC 03 167 53542]

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

A handwritten signature in black ink, appearing to read "Robert P. Wiemann".

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 on appeal. The appeal will be dismissed.

The applicant is a native and 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 applicant filed an initial application for TPS after the initial registration period had ended. The director denied that application on January 15, 2004, after determining that the applicant had abandoned his application by failing to respond to a Notice of Intent to Deny.

A subsequent motion to reopen was remanded to the Director, Texas Service Center, (TSC), by the Director, AAO, on August 19, 2005, for further consideration and action. In the August 19, 2005 decision, the director determined the applicant has provided insufficient evidence to establish his continuous residence and continuous physical presence during the required time period. 8 C.F.R. § 244.2 (b) and (c). The Director, TSC, dismissed the applicant's motion to reopen after determining that he had failed to establish eligibility for late initial registration.

The applicant did not appeal the TSC Director's decision.

The applicant filed the current Form I-821, on December 13, 2004, and indicated that he was re-registering for TPS.

The Director, CSC, denied the re-registration application because the applicant's initial TPS application had been denied and the applicant was not eligible to apply for re-registration for TPS.

If an alien is filing a re-registration application, a previous grant of 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.

The applicant has not previously been granted TPS. Therefore, he is not eligible to re-register for TPS. Consequently, the director's decision to deny the application will be affirmed.

An alien applying for temporary protected status has the burden of proving that he or she meets the requirements cited 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.