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U.S. Citizenship  
and Immigration  
Services

**PUBLIC COPY**

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[REDACTED]

FILE:

[REDACTED]

OFFICE: Vermont Service Center

DATE:

SEP 14 2007

[EAC 93 167 50697]

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

Handwritten signature of Robert P. Wiemann in black ink.

Robert P. Wiemann, Chief  
Administrative Appeals Office

**DISCUSSION:** The application was denied by the District Director in New York, New York. It is now on appeal before the Administrative Appeals Office (AAO). The appeal will be dismissed.

The applicant claims to be a citizen of Liberia 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 a Form I-821, Application for Temporary Protected Status, along with a Form I-765, Application for Employment Authorization, at the District Office in New York, New York, on January 3, 1992. In a notice dated October 31, 1992, the District Director requested the applicant to submit primary evidence of her Liberian citizenship – identified as a Liberian passport, a birth certificate, and/or a national identification card – by November 23, 1992. She was advised to obtain such documents at the Liberian Consulate in New York. The applicant did not respond to the request for evidence, after which the District Director denied the application for TPS on April 19, 1993, for lack of prosecution.

The applicant filed a timely appeal (Form I-290B), which bears a receipt stamp of the Vermont Service Center dated May 17, 1993. On the appeal form the applicant contends that she applied for political asylum, not TPS; asserts that she did not receive any instruction to submit primary evidence of her Liberian citizenship and that she could obtain such documentation at the Liberian Consulate; and states that she has a Liberian National Identification Card in her possession.

The record refutes the applicant's contention that she did not apply for TPS, since an application for TPS (Form I-821) – which is signed by the applicant, dated by her on December 27, 1991, and appended to a Form I-765 that bears a receipt stamp of the New York District Office dated January 3, 1992 – is in the applicant's A-file.<sup>1</sup> Even if the applicant did not receive the instruction of October 31, 1992, to submit primary evidence of her Liberian citizenship, she indicates on appeal that a Liberian National Identification Card is in her possession. Yet she has neglected to submit this document, or a photocopy thereof, in support of her appeal. Thus, the applicant has still failed to establish that she is a Liberian national, in accordance with the documentary requirements of 8 C.F.R. § 244.9(a)(1). The District Director's denial of the TPS application on this ground will therefore be affirmed.

An alien applying for TPS has the burden of proving that he or she meets the requirements and is otherwise eligible under the provisions of section 244 of the Act. The applicant has failed to meet that burden.

**ORDER:** The appeal is dismissed.

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<sup>1</sup> The A-file also includes a Request for Asylum (Form I-589) signed by the applicant and dated September 25, 1991. According to CIS records, the asylum request was filed with the legacy Immigration and Naturalization Service (INS) on November 15, 1991, and closed on March 25, 1998.