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U.S. Department of Homeland Security  
20 Mass. Ave., N.W., Rm. 3000  
Washington, DC 20529



U.S. Citizenship  
and Immigration  
Services

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FILE: [REDACTED]  
[WAC 05 057 72456]

Office: CALIFORNIA SERVICE CENTER

Date: JAN 03 2008

INRE: 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.

A handwritten signature in black ink, appearing to read "R. 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 claims to be 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 Form 1-821, Application for **Temporary** Protected Status, under receipt number SRC 02234 54298 after the initial registration period had closed. The Director, Texas Service Center, denied that application on September 25, 2003, after determining that the applicant had **failed to establish** she was eligible for late initial registration.

The applicant filed the current Form 1-821 on November 17, 2004, and indicated that she was re-registering for TPS.

The CSC Director 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, 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(e)(2).

Furthermore, the applicant has provided insufficient evidence to establish her continuous residence and continuous physical presence **during** the required time period. 8 C.F.R. §§ 244.2 (b) and (c). Also, the applicant has provided insufficient evidence to **establish that** she is a national or citizen of Honduras. She has provided a copy of her birth certificate along with an English translation. However, a birth certificate alone does not establish nationality. The record does not contain any photo identification such as a passport or national identity document. 8 C.F.R. § 244.2(a) and § 244.9(a)(1). Consequently, the application shall be denied for these **additional** reasons.

The application will be denied for the above stated reasons, with each considered as an independent and **alternative** basis for denial. **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,