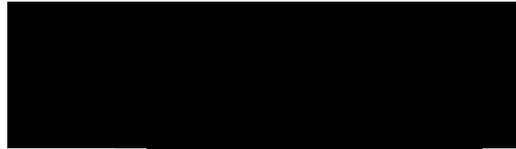




**U.S. Citizenship
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invasion of personal privacy**



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FILE: [REDACTED] Office: ATLANTA
[EAC 07 075 50657, motion]

Date: **JUL 01 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:



INSTRUCTIONS:

This is the decision of the Administrative Appeals Office in your case. All documents have been returned to the Atlanta District Office. Any further inquiry must be made to that office.


for Robert P. Wiemann, Chief
Administrative Appeals Office

DISCUSSION: The applicant's temporary protected status was withdrawn by the District Director, Atlanta Georgia. A subsequent appeal was dismissed by the Director, Administrative Appeals Office (AAO). The matter is now before the AAO on a motion to reopen. The motion to reopen will be dismissed and the previous decision of the AAO will be affirmed.

The applicant is a native and 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.

Liberia was designated for TPS on October 1, 2002 (after a previous TPS designation had terminated in 1999). The initial registration period was October 2, 2002 - April 1, 2002. On August 25, 2004, the Department of Homeland Security (DHS) re-designated Liberia for TPS and specified that TPS was available to Liberians who had been continuously physically present in the United States since August 25, 2004, and continuously resident in the United States since October 1, 2002. The initial registration period pursuant to re-designation was August 25, 2004 - February 21, 2005. The TPS designation has been twice extended, and was terminated for Liberia on October 1, 2007.

The director determined that the applicant failed to submit evidence to establish that she had successfully re-registered for temporary protected status during the period August 25, 2004 through February 2, 2005. The director, therefore, withdrew the applicant's temporary protected status.

Upon review of the record of proceeding, the AAO concurred with the director's conclusion and dismissed the appeal on November 15, 2007.

On motion to reopen, the applicant reasserted her claim of eligibility for TPS but failed to submit any evidence in an attempt to establish her qualifying residence in the United States or her eligibility for late registration.

A motion to reopen must state the new facts to be proved at the reopened proceeding, and be supported by affidavits or other documentary evidence. 8 C.P.R. § I03.5(a)(2). A motion that does not meet applicable requirements shall be dismissed. 8 C.P.R. § I03.5(a)(4).

The applicant's motion to reopen consists of a statement from the applicant and resubmission of evidence previously provided. As such, the issue on which the underlying decisions were based has not been overcome on motion.

The burden of proof in these proceedings rests solely with the applicant. Section 291 of the Act, 8 U.S.C. § 1361. That burden has not been met since the applicant has not provided any new facts or additional evidence to overcome the previous decision of the AAO. Accordingly, the motion to reopen will be dismissed and the previous decision of the AAO will not be disturbed.

ORDER: The motion to reopen is dismissed. The previous decision of the AAO dated November 15, 2007, is affirmed.