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U.S. Department of Homeland Security  
U.S. Citizenship and Immigration Service  
Administrative Appeals Office (AAO)  
20 Massachusetts Ave., N.W., MS 2090  
Washington, DC 20529-2090



U.S. Citizenship  
and Immigration  
Services

DATE:

**AUG 01 2013**

Office: VERMONT SERVICE CENTER

FILE:

IN RE:

Applicant:

APPLICATION:

Application for Temporary Protected Status under Section 244 of the  
Immigration and Nationality Act, 8 U.S.C. § 1254a

ON BEHALF OF APPLICANT:

INSTRUCTIONS:

Enclosed please find the decision of the Administrative Appeals Office (AAO) in your case. This is a non-precedent decision. The AAO does not announce new constructions of law nor establish agency policy through non-precedent decisions.

Thank you,

A handwritten signature in black ink, appearing to read "Ron Rosenberg".

Ron Rosenberg  
Acting Chief, Administrative Appeals Office

**DISCUSSION:** The re-registration application was denied by the Director, Vermont Service Center, and is now before the Administrative Appeals Office (AAO) on appeal. The appeal will be rejected.

The applicant is a citizen of El Salvador who is seeking Temporary Protected Status (TPS) under section 244 of the Immigration and Nationality Act (the Act), 8 U.S.C. § 1254.

On July 11, 2012, the director denied the re-registration application because the applicant's initial TPS application [REDACTED] had been denied on December 3, 2008, and the applicant was not eligible to apply for re-registration for TPS. The director advised the applicant that, while the decision could not be appealed, the applicant could file a motion to reopen or a motion to reconsider within 30 days. In response to the director's decision, the applicant through counsel filed a Form I-290B, Notice of Appeal or Motion, and indicated at Part 2 that he was filing an appeal from the denial of the re-registration application dated July 11, 2012.

The director inadvertently accepted the applicant's response as an appeal instead of a motion and forwarded the file to the AAO. As there is no appeal of the decision, the appeal will be rejected.

As jurisdiction lies with the director, he may, in his discretion, reopen the decision on a service motion pursuant to 8 C.F.R. § 103.5(a)(5), or excuse the late filing of a new motion under the requirements of 8 C.F.R. § 103.5(a)(1)(i).

**ORDER:** The appeal is rejected.