



**U.S. Citizenship  
and Immigration  
Services**

**Non-Precedent Decision of the  
Administrative Appeals Office**

MATTER OF A-F-P-

DATE: DEC. 11, 2015

APPEAL OF VERMONT SERVICE CENTER DECISION

APPLICATION: FORM I-821, APPLICATION FOR TEMPORARY PROTECTED STATUS

The Applicant, a native and citizen of Honduras, seeks review of the decision withdrawing the Applicant's temporary protected status (TPS). *See* Immigration and Nationality Act (the Act) § 244, 8 U.S.C. § 1254(a). The Director, Vermont Service Center, withdrew the Applicant's TPS and denied the application for re-registration. The matter is now before us on appeal. The appeal will be dismissed.

On July 17, 2014, the Director withdrew the Applicant's TPS and denied the application for re-registration because the Applicant had been convicted of a felony in the United States. The Director also determined that the Applicant's conviction for endangering the welfare of a child under New Jersey Statute Annotated 2C:24-4(a) was a particularly serious crime under section 244(c)(2)(B)(ii) of the Act, and therefore an aggravated felony. In addition, the Director found the Applicant inadmissible to the United States for having been convicted of a crime involving moral turpitude.

Subsequent to the filing of the Applicant's appeal, a Form I-862, Notice to Appear, was issued on September 2, 2015, and filed with an immigration court. As provided in 8 C.F.R. § 244.18(b), if a charging document is filed with an immigration court while the appeal is pending before us, the appeal will be dismissed and the record of proceeding will be returned to the jurisdiction where the charging document was filed.

As provided in 8 C.F.R. § 244.18(b), the appeal, in this case, is no longer within our jurisdiction. Therefore, the appeal will be dismissed.

**ORDER:** The appeal is dismissed.

Cite as *Matter of A-F-P-*, ID# 16019 (AAO Dec. 11, 2015)