



U.S. Citizenship
and Immigration
Services

(b)(6)



DATE: **JUL 22 2015**

FILE: [REDACTED]
APPLICATION RECEIPT #: [REDACTED]

IN RE: Applicant: [REDACTED]

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

ON BEHALF OF APPLICANT:

NO REPRESENTATIVE OF RECORD

Enclosed is the non-precedent decision of the Administrative Appeals Office (AAO) for your case.

If you believe we incorrectly decided your case, you may file a motion requesting us to reconsider our decision and/or reopen the proceeding. The requirements for motions are located at 8 C.F.R. § 103.5. Motions must be filed on a Notice of Appeal or Motion (Form I-290B) **within 33 days of the date of this decision**. The Form I-290B web page (www.uscis.gov/i-290b) contains the latest information on fee, filing location, and other requirements. **Please do not mail any motions directly to the AAO.**

Thank you,

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

Ron Rosenberg
Chief, Administrative Appeals Office

DISCUSSION: The Director, California Service Center, denied the application for TPS re-registration. The matter is now before the Administrative Appeals Office (AAO) on appeal. The appeal will be dismissed.

The applicant is a native and citizen of Haiti who was granted Temporary Protected Status (TPS) under section 244 of the Immigration and Nationality Act (the Act), 8 U.S.C. § 1254a. On August 27, 2014, the director denied the application for re-registration because the applicant's TPS had been previously withdrawn¹ so the applicant was not eligible to apply for re-registration for TPS.

On appeal, the applicant apologizes for previously filing a frivolous asylum application and requests that her application be reconsidered, as she has United States citizen children.

Filing an application for TPS during a designated re-registration period does not render all individuals eligible for the benefit sought. The re-registration period is limited to individuals who have previously registered for TPS and whose applications have been granted or who did not file during the initial registration period and meet any the late initial registration provisions described in 8 C.F.R. § 244.2(f)(2), as well as all other TPS eligibility criteria. Extension of the Designation of Haiti for TPS, 79 Fed. Reg. 11808 (Mar. 5, 2014).

In the instant case, the applicant was not eligible to apply for re-registration for TPS due to the withdrawal of her TPS on March 3, 2014.² Consequently, the director's decision to deny the application for re-registration will be affirmed.

In application proceedings, it is the applicant's burden to establish eligibility for the immigration benefit sought. Section 291 of the Act, 8 U.S.C. § 1361. Here, that burden has not been met.

ORDER: The appeal is dismissed.

¹ The director withdrew TPS on March 3, 2014, as it was determined that the applicant knowingly filed a frivolous application for asylum, and therefore permanently ineligible for any benefits under the Act under section 208(d) of the Act.

² No appeal was filed from the decision to withdraw TPS.