



U.S. Citizenship
and Immigration
Services

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M,

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FILE:

[REDACTED]

Office: CALIFORNIA SERVICE CENTER

Date: DEC 07 2007

[WAC 05 047 71837]

IN RE:

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.

Robert P. Wiemann, Chief
Administrative Appeals Office

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

The applicant is 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 record reveals that the applicant filed a TPS application subsequent to the initial registration period under CIS receipt number EAC 02 085 50721. The Director, Vermont Service Center, denied that application on November 21, 2002, because the applicant failed to submit sufficient evidence to establish his eligibility for late registration.

The applicant filed an appeal on December 4, 2002. The AAO is dismissing that appeal under a separate order because the applicant failed to establish his eligibility for late registration.

The applicant filed the current Form I-821, Application for Temporary Protected Status, on November 18, 2004, and indicated that he was re-registering for TPS.

The director denied the re-registration application on July 23, 2005, because the applicant's initial TPS application had been denied, and the applicant was not eligible to apply for re-registration for TPS.

On appeal, the applicant reasserts his claim of eligibility for TPS.

The applicant has failed to submit sufficient evidence to establish his eligibility for re-registration. If the applicant is filing an application as a re-registration, 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.

In this case, the applicant has not previously been granted TPS. Therefore, he is not eligible to re-register for TPS. Consequently, the director's decision to deny the current application will be affirmed.

An alien applying for temporary protected status has the burden of proving that he or she meets the requirements enumerated 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.