



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

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

In Re: 33547066

Date: SEPT. 18, 2024

Appeal of a Texas Service Center Decision

Form I-821, Application for Temporary Protected Status

The Applicant, a national of Venezuela, seeks Temporary Protected Status (TPS) under section 244 of the Immigration and Nationality Act (the Act), 8 U.S.C. § 1254a.

The Director of the Texas Service Center denied the TPS application, concluding that the Applicant did not properly respond to a request for evidence (RFE) and, therefore, did not demonstrate eligibility for the benefit sought. Specifically, the Form I-821 submitted was incomplete, missing valid responses to question 15a to 16d in Part 2, Information About You. The RFE instructed the Applicant to submit a complete Form I-821.

The Applicant bears the burden of proof to demonstrate eligibility by a preponderance of the evidence. *Matter of Chawathe*, 25 I&N Dec. 369, 375-76 (AAO 2010). We review the questions in this matter de novo. *Matter of Christo's, Inc.*, 26 I&N Dec. 537, 537 n.2 (AAO 2015). Upon de novo review, we will dismiss the appeal.

Individuals apply for TPS by submitting a Form I-821 in accordance with the form's instructions, which specify which questions must be answered and which questions may be left blank. *See* USCIS, *Instructions for Application for Temporary Protected Status*, (April 1, 2024), <https://www.uscis.gov/i-821>. The instructions state to answer all questions fully and accurately, also explaining that all questions in Part 7, Eligibility Standards must be answered.

On appeal, the Applicant submits a new Form I-821, but this form is not complete. In part 2, Information About You, the Applicant does not provide her social security number for question 9., even though she has one. In addition, her answer to questions 15 and 16 of "None," to her countries of residence before entering the United States and her countries of citizenship or nationality is inaccurate. The Applicant, born in 2010 in Venezuela, entered the United States in 2016, but provides no information as to where she resided before entering the United States. Similarly, the Applicant is not claiming to have no citizenship or nationality, but reflects "None," to the question about citizenship and nationality. Notably, she appears to be a Venezuelan passport holder and claims to be a Venezuelan national later in the form. Furthermore, in Part 7, Eligibility Standards, numerous questions were left unanswered including questions 12d, 22, and 38d, which relate to being the child of someone who assisted in the unlawful trafficking of a controlled substance, helping someone to

enter the United States unlawfully, and being the child of someone who assisted in human trafficking. Thus, the Applicant's Form I-821 remains incomplete. Accordingly, the appeal will be dismissed.

ORDER: The appeal is dismissed.