



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

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

In Re: 32915548

Date: SEP. 16, 2024

Appeal of California Service Center Decision

Form I-821, Application for Temporary Protected Status

The Applicant, a national of Haiti, 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 California Service Center denied the TPS request, concluding that the Applicant did not establish eligibility for such status because he did not provide a response regarding his prior police service and firearms training.

On appeal, the Applicant submits a statement with additional evidence and asks for a favorable decision.

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.

To be eligible for TPS applicants must demonstrate, in part, that they are not subject to the mandatory asylum-related bars set forth in section 208(b)(2)(A) of the Act, 8 U.S.C. § 1158(b)(2)(A), and not inadmissible on the grounds that may not be waived. Sections 244(c)(2)(B)(ii) and 244(c)(1)(A)(iii) of the Act.

The Applicant answered “yes” to questions 31.a and 34 in Part 7 of the instant Form I-821 affirming that he had “[s]erved in, been a member of, assisted in, or participated in military unit, paramilitary unit, police unit, self-defense unit, vigilante unit, rebel group, guerrilla group, militia, or insurgent organization” and that he had received some type of “military, paramilitary, or weapons training.” The Applicant specified that he “was a member of [redacted] from 01/02/2002 to 10/24/2018.”

The Director therefore issued a request for evidence (RFE) asking the Applicant to provide additional information about his police service by answering a set of 24 questions, which included questions about the branch of law enforcement in which he served and where he was stationed; his rank, official job title, duties and responsibilities; the types of firearms or weapons he was trained to use and any other training he may have received; the names of his supervisory commanding officers or persons

who gave him orders; whether he ever arrested, detained, or arrested any individuals; and if he ever ordered, incited, assisted, or otherwise participated in the persecution (through arrest, detention or violence, for example) of any person on account of race, religion, nationality, membership in a particular social group, or political opinion.

Because the Applicant's RFE response did not include answers to those questions, the Director denied the TPS request, concluding that the Applicant did not establish eligibility for such status.

On appeal, the Applicant states that he was employed by the [redacted] from January 2002 until October 2018, and that during his tenure he "underwent extensive military training, which included rigorous physical exercises, tactical maneuvers, and weapons training." He adds that "[t]hese training programs were integral to [his] role within the [redacted] equipping [him] with the necessary skills and expertise to fulfill [his] duties effectively." The Applicant also submits copies of documents in French, stating that they relate to his police service and serve as "tangible evidence of [his] dedication, professionalism, and contributions to the organization."

We acknowledge the submission of this supplemental evidence but conclude that it is not sufficient to overcome the basis for the denial of the Applicant's TPS request. Specifically, the Applicant provides only general information about his police service and training and does not address the questions the Director asked him to answer in the RFE. For example, while the Applicant refers to his role and duties within the [redacted] he does not explain what his role and duties were, and he does not offer any other previously requested detailed information about his police service. Furthermore, the documents the Applicant submits on appeal are not accompanied by the requisite certified English language translations and we are not able to evaluate their probative value regarding his police service as it relates to the TPS bars in sections 244(c)(2)(B)(ii) and 244(c)(1)(A)(iii) of the Act. *See* 8 C.F.R. § 103.2(b)(3) (providing that any document containing foreign language submitted to USCIS must be accompanied by a full English language translation, which the translator has certified as complete and accurate, and by the translator's certification that that they are competent to translate from the foreign language into English).

Consequently, the Applicant has not overcome the denial grounds identified by the Director, and his TPS request will remain denied.

ORDER: The appeal is dismissed.