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U.S. Department of Homeland Security
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U.S. Citizenship
and Immigration
Services

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FILE:



Office: CALIFORNIA SERVICE CENTER

Date: DEC 16 2004

IN RE:

Applicant:



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 office that originally decided your case. Any further inquiry must be made to that office.

Robert P. Wiemann, Director
Administrative Appeals Office

DISCUSSION: The application was denied by the Director, California Service Center, and is now before the Administrative Appeals Office on appeal. The appeal will be summarily dismissed.

The applicant is a native and citizen of El Salvador who is seeking Temporary Protected Status (TPS) under section 244 of the Immigration and Nationality Act (the Act), 8 U.S.C. § 1254.

The director noted that the applicant was convicted in California of: (1) receiving/concealing stolen property, 485(a) PC, on September 20, 1993; and (2) disorderly conduct-prostitution, 647(b) PC, on September 16, 1996. The director, therefore, denied the application after determining that the applicant was ineligible for TPS, pursuant to section 244(c)(2)(B)(i) of the Act, based on his two misdemeanor convictions.

The applicant makes no statement on appeal. He checked the block: "I am not submitting a separate brief or evidence."

8 C.F.R. § 103.3(a)(1)(v) states, in pertinent part:

Summary dismissal. An officer to whom an appeal is taken shall summarily dismiss any appeal when the party concerned fails to identify specifically any erroneous conclusion of law or statement of fact for the appeal.

The applicant has failed to identify specifically an erroneous conclusion of law or a statement of fact in this proceeding. Accordingly, the appeal will be summarily dismissed.

It is noted in the record that an Order to Show Cause and a Notice of Hearing before an Immigration Judge was issued on May 12, 1992, in Los Angeles, California, based on the applicant's entry into the United States without inspection on September 12, 1990. The outcome of the hearing is not contained in the record of proceeding.

ORDER: The appeal is summarily dismissed.