

**PUBLIC COPY**

identifying data deleted to  
prevent clearly unwarranted  
invasion of personal privacy

U.S. Department of Homeland Security  
20 Mass, Rm. A3042, 425 I Street, N.W.  
Washington, DC 20529



U.S. Citizenship  
and Immigration  
Services



*ml*

FILE: [REDACTED]  
LIN 02 214 50010

Office: NEBRASKA SERVICE CENTER

Date: JUL 27 2004

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:



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.

*for*   
Robert P. Wiemann, Director  
Administrative Appeals Office

**DISCUSSION:** The application was denied by the Director, Nebraska Service Center. Two subsequent motions to reopen were also dismissed by the Director, Nebraska Service Center. The matter is now before the Administrative Appeals Office (AAO) on appeal. The previous decisions of the director will be affirmed and 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 determined that the applicant failed to establish he: 1) had continuously resided in the United States since February 13, 2001; and 2) had been continuously physically present in the United States since March 9, 2001. The director, therefore, denied the application.

An untimely appeal was treated as a motion to reopen by the director. The motion was subsequently dismissed on April 10, 2003, after the director concluded that the applicant had failed to present any new evidence in regard to the denied application and that the grounds for denial had not been overcome. Another motion to reopen was filed on June 2, 2003. On June 30, 2003, the director determined again that the grounds of denial had not been overcome and affirmed his previous decision. On July 25, 2003, the applicant appealed the director's decision on motion to the AAO. The applicant states that he can establish eligibility for TPS benefits and would send a brief and/or evidence within 30 days. To date, there has been no further correspondence from the applicant or counsel.

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. 8 C.F.R. § 103.3(a)(1)(v).

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

**ORDER:** The appeal is summarily dismissed.