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

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FILE: [REDACTED]
[LIN 03 047 50241]

Office: Nebraska Service Center

Date: **JUL 18 2005**

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.

Robert P. Wiemann, Director
Administrative Appeals Office

DISCUSSION: The application was denied by the Director, Nebraska 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 denied the application on August 27, 2003, after determining that the applicant had failed to establish he was eligible for late registration. The director noted in his decision that the applicant had met the date of entry, continuous residence, and continuous physical presence requirements for El Salvadoran TPS.

The applicant filed an untimely appeal which was rejected by the director as improperly filed. The director treated the appeal as a motion to reopen, pursuant to 8 C.F.R. § 103.3(a)(1)(v)(B)(2), and rendered a decision on the merits of the case. After a complete review of the record of proceedings, including the motion, the director determined that the applicant had failed to establish his eligibility for TPS. The director, therefore, affirmed his previous decision and denied the application on January 20, 2004.

On appeal, the applicant did not provide any supporting documentary evidence or brief along with his submission. Further, the applicant did not identify specifically any erroneous conclusion of law or statement of fact in this proceeding. It is noted that the applicant indicated on the appeal form that he would be sending a brief and/or evidence within 30 days. However, as of the date of this notice, the applicant has not submitted a brief and/or any additional evidence.

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).

As always in these proceedings, the burden of proof rests solely with the applicant. Section 291 of the Act, 8 U.S.C. § 1361.

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 dismissed.