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FILE: [REDACTED]
[WAC 05 077 73844]

Office: California Service Center

Date: AUG 03 2006

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: 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, Chief
Administrative Appeals Office

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

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

The applicant's initial TPS application, filed April 23, 1999, was denied by the director on June 22, 2000, because the applicant failed to submit evidence of nationality and a background clearance report from local law enforcement agencies.

The applicant filed the current Form I-821, Application for Temporary Protected Status, on December 16, 2004, and indicated that he was re-registering for TPS. On July 23, 2005, the director denied the application after determining that the applicant's prior Form I-821 was denied because the applicant failed to establish prima facie eligibility for TPS.

On appeal, the applicant requested an extension to submit a brief and/or evidence. The applicant failed to provide a brief or 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).

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.

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

ORDER: The appeal is dismissed.