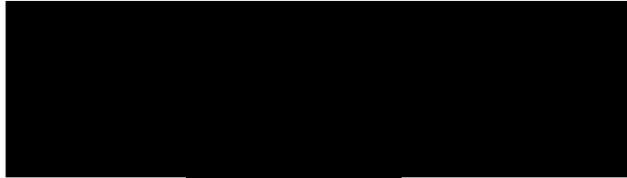




U.S. Citizenship
and Immigration
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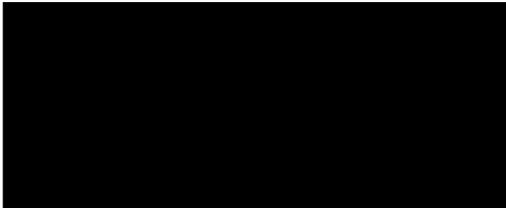
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FILE: [REDACTED] OFFICE: CALIFORNIA SERVICE CENTER DATE: AUG 27 2007
[WAC 05 224 86769]

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, Chief
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 determined that the applicant had failed to submit sufficient evidence to establish: (1) continuous residence in the United States since February 13, 2001, and continuous physical presence since March 9, 2001; and (2) that he was eligible for late initial registration. The director, therefore, denied the application on September 26, 2006.

On appeal, counsel states that the applicant has retained the services of a licensed attorney to assist him in collecting and submitting the required evidence of eligibility; therefore, he will submit a brief with supporting evidence within 30 days. Subsequent to the filing of the appeal, counsel, on November 27, 2006, requested an additional 30 days in which to send a brief and or other evidence. To date, no additional statement or evidence has been provided.

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 any erroneous conclusion of law or statement of fact for the appeal. Nor did the applicant address or submit any evidence, on appeal, to establish eligibility for TPS and to overcome the director's findings. Accordingly, the appeal will 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 summarily dismissed.