

identifying data deleted to
prevent clearly unwarranted
invasion of personal privacy

U.S. Department of Homeland Security
20 Mass. Ave., N.W., Rm. 3000
Washington, DC 20529

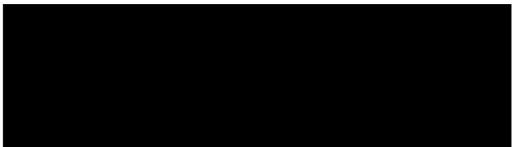


U.S. Citizenship
and Immigration
Services

PUBLIC COPY

M1

JUL 23 2007



FILE: [REDACTED] Office: CALIFORNIA SERVICE CENTER
[WAC 05 280 70012]

Date:

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.

A handwritten signature in black ink, appearing to read "R. Wiemann".

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 dismissed.

The applicant is a 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 record reveals that the applicant filed her initial TPS application on September 11, 2002, under Citizenship and Immigration Services (CIS) receipt number LIN 03 014 52035. The Director, Nebraska Service Center, denied that application on May 30, 2003, because the applicant failed to establish her eligibility to file for late initial registration. On March 12, 2004, the applicant filed an appeal from the denial decision. The Director (now Chief), AAO, dismissed that appeal on August 15, 2005.

The applicant filed the current Form I-821, Application for Temporary Protected Status, on July 7, 2005, and indicated that she was submitting an initial application for TPS.

The director denied the re-registration application because the applicant's initial TPS application had been denied and the applicant was not eligible to apply for re-registration for TPS. It is noted that the director's decision does not explore the fact that the applicant was attempting to file a late initial application for TPS instead of an annual re-registration. It is noted that the applicant has failed to provide any evidence, with the application or on appeal, to establish that this application should be accepted as a late initial registration under 8 C.F.R. § 244.2(f)(2).

On appeal, the applicant submits a statement in Spanish, with no English translation. Any document containing foreign language submitted to the CIS shall be accompanied by a full English language translation, which the translator has certified as complete and accurate, and by the translator's certification that he or she is competent to translate from the foreign language into English. 8 C.F.R. 103.2(b)(3). As the applicant failed to comply with the aforementioned, the statements cannot be considered in the rendering of this decision. The applicant fails to make any statement or claim or provide 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).

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.