



U.S. Citizenship
and Immigration
Services

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FILE:



Office: CALIFORNIA SERVICE CENTER

Date: SEP 02 2008

[WAC 03 023 53783]

IN RE:

Applicant:



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.


for Robert P. Wiemann, Chief
Administrative Appeals Office

DISCUSSION: The applicant's Temporary Protected Status was withdrawn and an application for re-registration was *simultaneously denied by the Director, California Service Center*, and is now before the Administrative Appeals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 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 a TPS re-registration application on September 10, 2002, under receipt number WAC 03 023 53783. The Director, California Service Center, approved that application on September 9, 2003.

The director may withdraw the status of an alien granted *Temporary Protected Status under section 244 of the Act* at any time if it is determined that the alien was not in fact eligible at the time such status was granted, or at any time thereafter becomes ineligible for such status. 8.C.F.R. § 244.14(a)(1).

The applicant filed the current Form I-821, Application for Temporary Protected Status, on October 10, 2006, and indicated that he was re-registering for TPS.

The record reveals the following offenses:

- (1) On November 7, 2004, the San Francisco, California Police Department arrested the applicant for "Battery Spouse/ex Sp/ Date/Etc."
- (2) On December 17, 2006, the San Francisco, California Police Department arrested the applicant for "Driving While License Suspended/Etc", "Failure to Stop Veh Line: Crosswalk/Etc", and "Warrant for Driving While License Suspended."

The director withdrew temporary protected status on December 5, 2007, because the applicant had failed to submit court documentation relating to his criminal record as required by the director on June 15, 2007.

On appeal, the applicant states that he never received the notice requesting the final court disposition for his arrests. It is noted that the June 13, 2007 notice was mailed to the same address as the withdrawal notice and was not returned as undeliverable. It is further noted that the applicant maintained the same address on appeal. The applicant states that he would submit additional evidence within 30 days. To date, there has been no further correspondence from the applicant or counsel. The applicant fails to make any other statement or claim or provide any additional evidence. Therefore, the record must be considered complete.

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.