U.S. Department of Homeland Security
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Washington, DC 20536

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U.S. Citizenship and Immigration Services

[redacted]

FILE: [redacted] Office: TEXAS SERVICE CENTER Date: MAY 24 2004

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, Director
Administrative Appeals Office

DISCUSSION: The application was denied by the Director, Texas 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 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 director determined that the applicant failed to establish that he: (1) was eligible for filing after the initial registration period from January 5, 1999 to August 20, 1999; (2) has continuously resided in the United States since December 30, 1998; and (3) has been continuously physically present since January 5, 1999. The director noted that the applicant indicated on his application that he did not enter the United States until June 10, 2001; therefore, he did not meet the residency and physical presence requirements. The director, therefore, denied the application on December 10, 2002.

On appeal, the applicant submits a "second request" letter dated November 25, 2002, inquiring on the status of his application. He indicates on Form I-290B that he is sending a brief and/or evidence within 30 days. To date, however, 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. Further, while the applicant states that additional evidence will be provided, the file contains no further response from the applicant. Accordingly, the appeal will be summarily dismissed.

ORDER: The appeal is summarily dismissed.