



U.S. Citizenship
and Immigration
Services

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FILE: [REDACTED]
[EAC 03 179 50918]

Office: VERMONT SERVICE CENTER

Date: FEB 03 2005

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, Vermont Service Center, and is now before the Administrative Appeals Office (AAO) on appeal. The appeal will be rejected.

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 denied the application after determining that the applicant had failed to establish that he was eligible for late registration.

On appeal, the applicant does not make a statement or provide any evidence to overcome the basis for the denial of the application.

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.

Beyond the decision of the director, it is noted that the applicant has not provided sufficient evidence to establish nationality and identity. It is further noted that the applicant indicates on the Form I-821, Application for Temporary Protected Status, that he entered the United States on May 20, 1999. Therefore, he cannot establish continuous residence in the United States since December 30, 1998, and continuous physical presence in the United States since January 5, 1999. The application also may not be approved for these reasons.

An alien applying for temporary protected status has the burden of proving that he or she meets the requirements enumerated above and is otherwise eligible under the provisions of section 244 of the Act. The applicant has failed to meet this burden.

ORDER: The appeal is summarily dismissed.