

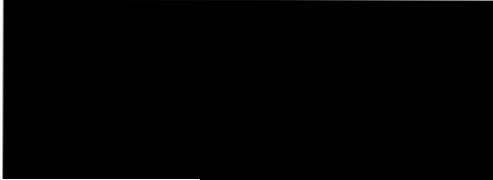
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U.S. Department of Homeland Security
U. S. Citizenship and Immigration Services
Office of Administrative Appeals MS 2090
Washington, DC 20529-2090



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FILE: [REDACTED] Office: NEBRASKA SERVICE CENTER
LIN-05-261-53609

Date: **MAY 06 2009**

IN RE Applicant: [REDACTED]

APPLICATION: Application for Refugee Travel Document Pursuant to 8 C.F.R. § 223.1(b).

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.

If you believe the law was inappropriately applied or you have additional information that you wish to have considered, you may file a motion to reconsider or a motion to reopen. Please refer to 8 C.F.R. § 103.5 for the specific requirements. All motions must be submitted to the office that originally decided your case by filing a Form I-290B, Notice of Appeal or Motion, with a fee of \$585. Any motion must be filed within 30 days of the decision that the motion seeks to reconsider, as required by 8 C.F.R. 103.5(a)(1)(i).

John F. Grissom
Acting Chief, Administrative Appeals Office

DISCUSSION: The application was denied by the Director, Nebraska Service Center, and is now before the Administrative Appeals Office (AAO) on appeal. The appeal will be summarily dismissed. The application will be denied.

The applicant is a native and citizen of Mauritania, who seeks to obtain a refugee travel document pursuant to 8 C.F.R. § 223.1(b). The director initially denied the application on December 19, 2006 because of possible identify fraud. On March 6, 2007, the Service moved to reopen its decision based upon evidence that the applicant submitted in his January 8, 2007 appeal. The director found that the applicant did not submit fraudulent identify documents; however, the director did find in his April 17, 2007 decision that the applicant did not hold valid refugee status pursuant to section 207 of the Immigration and Nationality Act (the Act), valid asylum status pursuant to section 208 of the Act, or was a permanent resident and received such status as a direct result of the applicant's asylee or refugee status. The applicant submitted a timely appeal on April 30, 2007. On the Form I-290B that the applicant submitted, he did not state any reason for the appeal and he submitted only copies of documents already included in the record.

The AAO will summarily dismiss an appeal when the concerned party fails to identify any erroneous conclusion of law or statement of fact made by the director. 8 C.F.R. § 103.3(a)(1)(v). Here, the applicant has submitted a blank Form I-290B with documentary evidence that is already included in the record. As the AAO has no new evidence to assess, the applicant's appeal shall be summarily dismissed.

Section 291 of the Act, 8 U.S.C. § 1361, provides that the burden of proof is upon the applicant to establish eligibility for the benefit sought. Here, the applicant has not met that burden. Accordingly, the director's decision will not be disturbed. The application is denied.

ORDER: The appeal is dismissed. The application is denied.