



U.S. Citizenship
and Immigration
Services

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FILE:

[WAC 05 084 78148]

Office: CALIFORNIA SERVICE CENTER

Date: OCT 24 2008

IN RE:

Applicant:

APPLICATION:

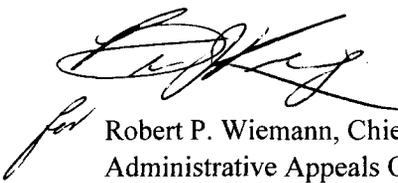
Application for Temporary Protected Status under Section 244 of the Immigration and Nationality Act, 8 U.S.C. § 1254

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 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 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 record reveals that the applicant filed his initial TPS application on June 18, 2001, under Citizenship and Immigration Services (CIS) receipt number LIN 01 211 51308. The Director, Nebraska Service Center, denied that application on January 4, 2002, because the applicant failed to establish his eligibility to file for late initial registration. On January 22, 2002, the applicant filed an appeal from the denial decision. The Director (now Chief), AAO, dismissed that appeal on December 23, 2003. The applicant filed a subsequent TPS application on July 1, 2002, under Citizenship and Immigration Services (CIS) receipt number LIN 02 233 51809. The Director, Nebraska Service Center, denied that application on January 28, 2003, because the applicant failed to establish his eligibility to file for late initial registration. On February 13, 2003, the applicant filed an appeal from the denial decision. The Director, AAO, summarily dismissed that appeal on December 23, 2003.

The applicant filed the current Form I-821, Application for Temporary Protected Status, on December 23, 2004, and indicated that he was re-registering 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.

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 other 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.

Beyond the director's decision, it is noted that a Federal Bureau of Investigation Fingerprint Report indicates that the applicant was arrested on April 22, 2003, by the Aurora, Colorado Police Department for "driving Under Influence Liquor." The applicant was arrested on April 26, 2004, by the Aurora, Colorado Police Department for "Fugitive other Jurisdiction" and "Failure to Drive Rt Side." The applicant was arrested on May 10, 2004, by the Arapahoe County Sheriff County Police Department for "Driving Under Restraint" and "Prob Violation Revocation." The final dispositions for these arrests are not in the record. CIS must address these arrests in any future proceedings.

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.