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U.S. Department of Homeland Security
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U.S. Citizenship
and Immigration
Services

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FILE: [REDACTED] Office: CALIFORNIA SERVICE CENTER
[WAC 05 074 75651]

Date: **SEP 25 2006**

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.

A handwritten signature in cursive script, appearing to read "Robert P. Wiemann".

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 claims to be 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 a TPS application during the initial registration period on February 18, 1999, under Citizenship and Immigration Services (CIS) receipt number LIN 99 128 51043. The Director, Nebraska Service Center, approved that application on May 10, 2000.

The applicant filed the current Form I-821, Application for Temporary Protected Status, on December 6, 2004, and indicated that he was re-registering for TPS.

The director denied the re-registration application; however, in this case, the director should have withdrawn the applicant's TPS and not merely denied the re-registration application. The director denied the re-registration application because the applicant had been convicted of two misdemeanors in the United States. The director should have withdrawn the applicant's TPS for this reason. Therefore, the applicant's TPS is hereby withdrawn.

On appeal, the applicant requests an additional 90 days in which to submit a brief and/or evidence. To date, there has been no further correspondence from the applicant or counsel. Therefore, the record must be considered complete. The applicant fails to make any 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.

The record of proceeding reflects that on July 21, 1998, an immigration judge ordered the applicant removed from the United States to Honduras. A Warrant of Removal/Deportation, Form I-205, was issued on September 21, 1998. The applicant failed to appear at the Chicago, Illinois district office on December 1, 1998, for his enforced departure.

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.