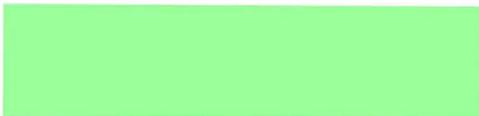


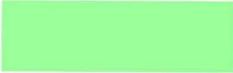
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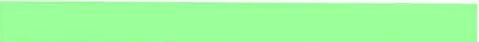
U.S. Department of Homeland Security  
U.S. Citizenship and Immigration Service  
Administrative Appeals Office (AAO)  
20 Massachusetts Ave., N.W., MS 2090  
Washington, DC 20529-2090



U.S. Citizenship  
and Immigration  
Services



DATE: **OCT 25 2013**      OFFICE: NEBRASKA SERVICE CENTER      FILE: 

IN RE:      APPLICANT: 

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

ON BEHALF OF APPLICANT:      SELF-REPRESENTED

INSTRUCTIONS:

Enclosed please find the decision of the Administrative Appeals Office (AAO) in your case.

This is a non-precedent decision. The AAO does not announce new constructions of law nor establish agency policy through non-precedent decisions. If you believe the AAO incorrectly applied current law or policy to your case or if you seek to present new facts for consideration, you may file a motion to reconsider or a motion to reopen, respectively. Any motion must be filed on a Notice of Appeal or Motion (Form I-290B) within 33 days of the date of this decision. **Please review the Form I-290B instructions at <http://www.uscis.gov/forms> for the latest information on fee, filing location, and other requirements.** See also 8 C.F.R. § 103.5. **Do not file a motion directly with the AAO.**

Thank you,

A handwritten signature in black ink, appearing to read "Ron Rosenberg".

Ron Rosenberg  
Chief, Administrative Appeals Office

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

The applicant is a citizen of Haiti who is seeking Temporary Protected Status (TPS) under section 244 of the Immigration and Nationality Act (the Act), 8 U.S.C. § 1254.

The applicant filed her Form I-821, Application for Temporary Protected Status over 60 days after the expiration of her nonimmigrant status.<sup>1</sup> On January 18, 2013, the director issued a request for evidence (RFE), requesting the applicant submit evidence to establish her eligibility for late initial registration for TPS. In the RFE, the director delineated the requirements for late initial registration. On May 6, 2013, the director denied the application because the applicant failed to establish she was eligible for late registration. The director noted that the applicant was admitted as a B-2 non-immigrant on November 8, 2011, and was authorized to remain in the United States until May 7, 2012. However, the current application for TPS was not filed until December 26, 2012.<sup>2</sup>

On appeal, the applicant does not address the basis for the denial of her application, nor does she state a reason for the appeal. The applicant also indicates at Part 2 on the appeal form that she was not submitting a brief or evidence. Therefore, the record must be considered complete.

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. Nor did the applicant address or submit any evidence, on appeal, to establish eligibility for TPS and to overcome the director's findings. Accordingly, the appeal will be summarily dismissed.

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.

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<sup>1</sup> The applicant indicated that she was filing a new initial application for TPS.

<sup>2</sup> As noted by the director, the record also reflects that on November 15, 2011, during the registration period, the applicant filed a TPS application which was denied on March 20, 2012, because the applicant failed to establish the requisite continuous residence and continuous physical presence in the United States. The record does not reflect an appeal of that decision.