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

(b)(6)

U.S. Citizenship and Immigration Services

DATE OCT 2 5 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,

for 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 his Form I-821, Application for Temporary Protected Status, on November 23, 2012, 309 days after the expiration of his nonimmigrant status. On December 28, 2011, the director issued a request for evidence (RFE), requesting evidence to establish the applicant's eligibility for late initial registration for TPS. In the RFE, the director delineated the requirements for late initial registration. On February 7, 2013, the director denied the application because the applicant failed to establish he was eligible for late registration.[1]

On appeal, the applicant does not address the basis for the denial of his application; he merely indicates "lack of documents" at Part 3 of the appeal form. The applicant also indicates at Part 2 on the appeal form that he 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.

---

[1] The director stated that the applicant was admitted as a B-2 non-immigrant on July 20, 2011, and that his authorized stay expired on January 12, 2012. However, the applicant's CBP Form I-94, Arrival Departure Record, indicates that he was authorized to remain in the United States until January 19, 2012. This error is deemed harmless.