



U.S. Citizenship
and Immigration
Services

(b)(6)



DATE: **JUN 10 2015**

FILE #:

APPLICATION RECEIPT #:

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:

NO REPRESENTATIVE OF RECORD

Enclosed is the non-precedent decision of the Administrative Appeals Office (AAO) for your case.

If you believe we incorrectly decided your case, you may file a motion requesting us to reconsider our decision and/or reopen the proceeding. The requirements for motions are located at 8 C.F.R. § 103.5. Motions must be filed on a Notice of Appeal or Motion (Form I-290B) **within 33 days of the date of this decision**. The Form I-290B web page (www.uscis.gov/i-290b) contains the latest information on fee, filing location, and other requirements. **Please do not mail any motions directly to the AAO.**

Thank you,

for
Ron Rosenberg
Chief, Administrative Appeals Office

DISCUSSION: The Director, California Service Center, denied the application, which is now before the AAO on appeal. The appeal will be summarily dismissed.

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

The director found that the applicant failed to establish having current TPS status under section 244 of the Act, concluded he was thus not entitled to re-registration, and denied the Application for Temporary Protected Status (Form I-821), accordingly. *Decision of the Director*, August 14, 2014.

On appeal, filed on September 15, 2014 and received by the AAO on December 11, 2014, the applicant provided a Personal Statement in support. We have not received any additional documents, nor any statements regarding denial of the applicant's Form I-821 that specifically identify any legal or factual error.

The regulation at 8 C.F.R. § 103.3(a)(1) states, in pertinent part:

- (v) *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.

We note that although the applicant claimed in his Form I-821 statement dated April 17, 2014 to have been granted TPS status, he failed to provide supporting documentation, and immigration records show that none of his four TPS applications filed since 2010 have been approved. The record reflects that although his Application for Employment Authorization (Form I-765) filed February 16, 2010 was approved, the supporting TPS application with which it was filed was denied, as were three subsequent TPS applications and their related EAD applications.¹ On appeal, the applicant offers no evidence of TPS status and, consequently, he is ineligible for re-registration of TPS where he was never granted TPS status.

We find that the applicant's appeal fails to specifically identify any erroneous conclusion of law or statement of fact in the waiver denial. The appeal is therefore summarily dismissed.

ORDER: The appeal is summarily dismissed.

¹ The director correctly found that since temporary benefits such as EADs may be issued to applicants who show *prima facie* eligibility for TPS by filing a completed Form I-821, *see* 8 C.F.R. § 244.5, such an interim EAD is not evidence of having been granted Temporary Protected Status.