



U.S. Citizenship
and Immigration
Services

(b)(6)

[Redacted]

DATE **MAY 08 2015** Office: NEBRASKA SERVICE CENTER

FILE: [Redacted]
I-290B: [Redacted]

IN RE: Applicant: [Redacted]

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

ON BEHALF OF APPLICANT:

[Redacted]

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,

Ron Rosenberg
Chief, Administrative Appeals Office

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

The applicant is a native and 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. § 1254a. On October 2, 2014, the director denied the application because the applicant failed to establish he was eligible for late registration. 8 C.F.R. § 244.2(f)(2).

On appeal, the applicant, through counsel, indicated on a Form I-290B, Notice of Appeal or Motion, that he would file a brief and/or additional evidence with the AAO within 30 days. Pursuant to 8 C.F.R. § 103.3(a)(2)(vii) and (viii), an affected party may request additional time to file a brief, which is to be submitted directly to the AAO. To date, we have not received any additional documents or requests, nor were any statements made on the appeal form regarding the denial of the applicant's TPS application. 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.

We find that the applicant's appeal fails to identify any erroneous conclusion of law or statement of fact in the director's decision. The appeal is therefore summarily dismissed. The burden of proving eligibility under section 244 of the Act remains with the applicant. 8 C.F.R. § 244.2.

ORDER: The appeal is dismissed.