



**U.S. Citizenship
and Immigration
Services**

**Non-Precedent Decision of the
Administrative Appeals Office**

MATTER OF S-C-R-

DATE: AUG. 5, 2016

APPEAL OF VERMONT SERVICE CENTER DECISION

APPLICATION: FORM I-821, APPLICATION FOR TEMPORARY PROTECTED STATUS

The Applicant, a native and citizen of El Salvador, seeks review of a decision denying the Applicant's Form I-765, Application for Employment Authorization, and re-registration for Temporary Protected Status (TPS). *See* Immigration and Nationality Act (the Act) section 244, 8 U.S.C. § 1254a.

In 2004, the Director, Vermont Service Center, denied the Applicant's initial Form I-821, Application for Temporary Protected Status, and a subsequent motion to reopen. The Applicant reapplied for TPS in 2008, but the Director denied the application on July 24, 2009, because the Applicant did not establish eligibility for late TPS registration. On the same date, the Director denied the Form I-821 the Applicant filed in 2009 to re-register for TPS. The denial was based on a determination that the Applicant was not eligible for TPS re-registration because he had not been granted TPS. In 2010 and 2014, the Applicant filed new applications to re-register for TPS and to obtain employment authorization. The Director denied these applications on the basis that the Applicant's initial and late TPS applications were denied in 2004 and 2009, respectively. In 2015, the Applicant again submitted applications for employment authorization and TPS re-registration.

In a single, November 9, 2015, decision, the Director denied both the Applicant's Form I-765 and his Form I-821 application for TPS re-registration. The Director concluded that the Applicant was not eligible for employment authorization or TPS re-registration because he did not have a pending or approved TPS application.¹

The matter is now before us on appeal. The appeal will be summarily dismissed.

The regulation at 8 C.F.R. § 103.3(a)(1)(v) states:

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.

¹ The Applicant claims on appeal that the denial of his Form I-765 was improper. However, we are without jurisdiction to consider this claim, as there is no provision for appeal of a denied application for employment authorization. 8 C.F.R. § 244.5(c).

Matter of S-C-R-

On appeal, the Applicant stated that the Director's decision denying his Form I-821, TPS re-registration, was arbitrary and that he was not provided with a legal or factual basis for the denial, but did not further explain these assertions. Although the Applicant indicated on the Form I-290B, Notice of Appeal or Motion, that he would file a brief and/or additional evidence with our office within 30 days, as of the date of this notice we have not received either a brief in support of the appeal, or a request for additional time to submit such brief as provided in 8 C.F.R. § 103.3(a)(2)(vii).

Accordingly, because the Applicant did not identify any erroneous conclusion of law or statement of fact in the Director's decision, we must summarily dismiss his appeal.

ORDER: The appeal is summarily dismissed pursuant to 8 C.F.R. § 103.3(a)(1)(v).

Cite as *Matter of S-C-R-*, ID# 10646 (AAO Aug. 5, 2016)