



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

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

MATTER OF J-G-G-H-

DATE: JUNE 7, 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 withdrawing the Applicant's temporary protected status (TPS). *See* Immigration and Nationality Act (the Act) section 244, 8 U.S.C. § 1254a. Temporary protected status provides lawful status and protection from removal for foreign nationals, of specifically designated countries, who register during designated periods, satisfy country-specific continuous residence and physical presence requirements, are admissible to the United States, are not firmly resettled in another country, and are not subject to certain criminal- and security-related bars. The Director may withdraw the status of an applicant granted TPS under section 244 of the Act at any time if it is determined that the applicant was not in fact eligible at the time such status was granted, or at any time thereafter becomes ineligible for such status. 8 C.F.R. § 244.14(a)(1).

The Director, Vermont Service Center, withdrew the Applicant's TPS, finding him ineligible because of his two misdemeanor convictions. The matter is now before us on appeal.

On appeal, the Applicant does not address the basis for the denial of the application or provide any evidence to overcome the Director's findings. On appeal the Applicant states that he believes that he will become eligible for TPS, as he is in the process of having one of his convictions vacated or expunged, and he will provide evidence in the future. The Applicant indicates at Part 2 of the Form I-290B, Notice of Appeal or Motion, that he would submit a brief or additional evidence within 30 days. To date the Applicant has not submitted a brief or additional evidence. Therefore, the record is considered complete.

The regulation at 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.

Inasmuch as the Applicant has not overcome the Director's findings and has not identified specifically an erroneous conclusion of law or a statement of fact as a basis for the appeal, the regulations mandate the summary dismissal of the appeal.

*Matter of J-G-G-H*

The burden of proof in these proceedings rests solely with the applicant. Section 291 of the Act, 8 U.S.C. § 1361.

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

Cite as *Matter of J-G-G-H*, ID# 17197 (AAO June 7, 2016)