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U.S. Department of Homeland Security  
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Washington, DC 20536



U.S. Citizenship  
and Immigration  
Services

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invasion of personal privacy



FILE: [Redacted] Office: NEW YORK

Date:

MAR 01 2004

IN RE: Applicant: [Redacted]

APPLICATION: Application for Certificate of Citizenship under section 320 of the Immigration and Nationality Act, 8 U.S.C. § 1431.

ON BEHALF OF APPLICANT:

SELF-REPRESENTED

INSTRUCTIONS:

This is the decision of the Administrative Appeals Office in your case. All documents have been returned to the office that originally decided your case. Any further inquiry must be made to that office.

Robert P. Wiemann, Director  
Administrative Appeals Office

**DISCUSSION:** The application was denied by the District Director, New York, New York. The matter is now before the Administrative Appeals Office (AAO) on appeal. The appeal will be dismissed.

The record indicates that the applicant was born in Grenada on December 16, 1983. The applicant's stepfather, [REDACTED] was born in Grenada on May 12, 1952, and he became a naturalized United States (U.S.) citizen on September 26, 1984. The record indicates that the applicant's mother, [REDACTED] was born in Grenada on November 24, 1964. She is not a U.S. citizen. The applicant seeks a certificate of citizenship under section 320 of the Immigration and Nationality Act (the Act), 8 U.S.C. § 1431 based on her relationship to her step-father.

The district director concluded that the applicant had failed to establish that [REDACTED] was her biological father or that he had legally adopted the applicant. The application was denied accordingly.

On appeal, the applicant's mother states that she, herself, is in the process of becoming a United States citizen, and she submits evidence of a July 27, 2001, U.S. naturalization oath ceremony appointment. The applicant's mother also asks, on appeal, whether there is any way the applicant can obtain U.S. citizenship through her mother. No other evidence or information was submitted, and the appeal does not dispute or otherwise address the grounds upon which the applicant's application for certificate of citizenship was denied.

The AAO notes that, although stepchildren are included in the definition of "child" for immigrant visa purposes under section 101(b)(2) of the Act, the district director correctly determined that stepchildren do not qualify as children for naturalization and citizenship purposes under section 101(c)(1) of the Act, and that a U.S. citizen parent cannot obtain citizenship for a stepchild unless the parent legally adopts the child.

8 C.F.R. § 103.3(a)(v) states in pertinent part that:

(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.

The AAO finds that the applicant's appeal fails to identify any erroneous conclusion of law or statement of fact in the district director's decision. The appeal is therefore summarily dismissed.<sup>1</sup>

**ORDER:** The appeal is dismissed.

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<sup>1</sup> The AAO notes that the present decision is without prejudice. Thus, if applicable, the applicant may reapply for a section 320(a), certificate of citizenship through her mother.