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U.S. Department of Homeland Security  
20 Massachusetts Ave., N.W., Rm. A3042  
Washington, DC 20529



U.S. Citizenship  
and Immigration  
Services



FILE: [Redacted]

Office: MIAMI, FL

Date: OCT 27 2004

IN RE: Applicant:



APPLICATION: Application for Certificate of Citizenship under section 321 of the former Immigration and Nationality Act, 8 U.S.C. § 1432.

ON BEHALF OF APPLICANT:



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 Acting District Director, Miami, Florida, and is now before the Administrative Appeals Office (AAO) on appeal. The appeal will be summarily dismissed.

The record reflects that the applicant was born on November 20, 1960, in Jamaica. The applicant's father, [REDACTED] became a naturalized U.S. citizen on January 4, 1977, when the applicant was sixteen years old. The applicant's mother was born in Jamaica, and she became a naturalized U.S. citizen on August 21, 1998, when the applicant was thirty-seven years old. The record reflects that the applicant's parents never married. The applicant was admitted into the United States as a lawful permanent resident on April 10, 1976, when she was fifteen years old. The applicant turned eighteen on November 20, 1978. She presently seeks a certificate of citizenship pursuant to section 321 of the former Immigration and Nationality Act (the former Act), 8 U.S.C. § 1431.

The district director found the applicant had failed to establish that both her parents were naturalized U.S. citizens prior to her eighteenth birthday, or that the applicant's parents married and became legally separated prior to her eighteenth birthday, with legal custody over the applicant being awarded to her U.S. citizen father. The district director concluded that the applicant had therefore failed to meet the requirements for citizenship as set forth in section 321 of the former Act.

On appeal, counsel provides the statement, "[i]ncorrect interpretation of the law", as the basis of the applicant's appeal. Counsel makes no other assertions on appeal and no other information or evidence is provided.

8 C.F.R. § 103.3(a)(v) 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.

The AAO finds that counsel failed to identify any erroneous conclusion of law or statement of fact in his appeal. The appeal will therefore be summarily dismissed.

**ORDER:** The appeal is summarily dismissed.