



U.S. Citizenship
and Immigration
Services

ER



FILE: [REDACTED] Office: NE YORK, NY

Date: SEP 09 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

Identifying data deleted to
prevent clearly unwarranted
invasion of personal privacy

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DISCUSSION: The application was denied by the District Director, New York, New York, 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 August 26, 1988, in the Dominican Republic. The applicant's mother, [REDACTED] (Mrs. [REDACTED]) was born in the Dominican Republic on January 6, 1958, and she became a naturalized U.S. citizen on May 27, 1992. The applicant's father, [REDACTED] was born in the Dominican Republic on September 11, 1951, and he is not a U.S. citizen. The record reflects that the applicant's parents married in the Dominican Republic in April 1984. The applicant was admitted into the United States as a lawful permanent resident on March 23, 1997. She presently seeks a certificate of citizenship pursuant to section 320 of the Immigration and Nationality Act (the Act), 8 U.S.C. § 1431.

The director noted Mrs. [REDACTED] statement, under oath, that the applicant resides with her father in the Dominican Republic. The director concluded the evidence in the record established that the applicant did not live in the U.S. in the physical custody of her U.S. citizen mother, as required by section 320 of the Act. The application was denied accordingly.

On appeal, the applicant's mother states, "the child is under my physical custody." The applicant provides no new evidence or information on appeal, and the appeal does not otherwise address the grounds for denial set forth in the director's denial of the applicant's citizenship claim.

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 the applicant failed to specifically identify any erroneous conclusion of law or statement of fact in her appeal. The appeal will therefore be summarily dismissed.

ORDER: The appeal is summarily dismissed.