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U.S. Department of Homeland Security
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U.S. Citizenship
and Immigration
Services

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FILE:



Office: NEW YORK, NY

Date: **OCT 26 2005**

IN RE:

Applicant:



APPLICATION:

Application for Certificate of Citizenship pursuant to section 301(a)(7) of the former Immigration and Nationality Act, 8 U.S.C. § 1401(a)(7).

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 District Director, New York, New York. The matter is now before the Administrative Appeals Office (AAO) on appeal. The appeal will be summarily dismissed.

The district director found that the evidence contained in the record failed to establish that the applicant has a U.S. citizen parent. The application was denied accordingly.

Counsel asserts on appeal that the district director's decision was "[a]rbitrary, capricious, and an abuse of administrative discretion, as well as contrary to the law and facts of this case." Counsel makes no other assertions and he submits no new evidence on appeal. Counsel indicates on appeal that he will send a brief and/or evidence to the AAO within thirty days. The AAO notes, however, that no brief or evidence was received.

8 C.F.R. § 103.3(a)(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.

The AAO finds that counsel has failed to identify specifically 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.