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U.S. Citizenship
and Immigration
Services

E2

[Redacted]

FILE: [Redacted] Office: HARLINGEN, TX Date: **SEP 27 2006**

IN RE: Applicant: [Redacted]

PETITION: Application for Certificate of Citizenship pursuant to Section 301(a)(7) of the Immigration and Nationality Act; as amended; 8 U.S.C. § 1401(a)(7).

ON BEHALF OF PETITIONER:

[Redacted]

INSTRUCTIONS:

This is the decision 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, Chief
Administrative Appeals Office

DISCUSSION: The nonimmigrant visa petition was denied by the District Director, Harlingen, Texas and is now on appeal before the Administrative Appeals Office (AAO). The district director's decision will be withdrawn and the matter remanded for entry of a new decision.

The record reflects that the applicant was born on November 1, 1974 in Mexico. The applicant's father, [REDACTED] was born on August 15, 1946 in Cameron County, Texas. The applicant's mother, [REDACTED] was, at the time of the applicant's birth, a citizen of Mexico, and, the applicant's Form N-600, Application for Certificate of Citizenship, does not indicate that she has subsequently become a U.S. citizen. The applicant seeks to establish U.S. citizenship pursuant to section 301(a)(7) of the Immigration and Nationality Act of 1952 (1952 Act), as amended; 8 U.S.C. § 1401(a)(7), based on the claim that he acquired U.S. citizenship at birth through his father.

The district director has requested that the application be remanded for the issuance of a new decision. Accordingly, the case will be remanded for further action.

ORDER: The district director's decision of April 21, 2006 is withdrawn. The petition is remanded to the district director for entry of a new decision, which, if adverse to the petitioner, shall be certified to the AAO for review.