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U.S. Citizenship
and Immigration
Services

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[REDACTED]

FILE: [REDACTED] Office: ANCHORAGE Date: **JAN 04 2007**

IN RE: Applicant: [REDACTED]

APPLICATION: Application for Certificate of Citizenship under Section 321 of the former Immigration and Nationality Act; 8 U.S.C. § 1431.

ON BEHALF OF APPLICANT:

[REDACTED]

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, Chief
Administrative Appeals Office

DISCUSSION: The application was denied by the District Director, Anchorage, 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 in the Philippines on December 26, 1969. The applicant's natural father, [REDACTED] was born in the Philippines and the record does not support that he was a U.S. citizen. The applicant's natural mother, [REDACTED] was born in the Philippines and the record does not support that she was a U.S. citizen. The applicant was adopted on June 29, 1979. His adoptive father, [REDACTED] became a naturalized U.S. citizen on November 5, 1986, when the applicant was 16 years old. The record does not show that the applicant's adoptive mother, [REDACTED], is a U.S. citizen. The applicant was admitted into the United States as a lawful permanent resident. He presently seeks a certificate of citizenship under section 321 of the former Immigration and Nationality Act (the former Act), Pub. L. 82-414, 66 Stat. 245 (June 27, 1952).

The director concluded that the applicant failed to establish that he became a U.S. citizen by operation of law due to the fact that both of his parents did not become U.S. citizens, as required by section 321 of the former Act. *Decision of the Director*, dated January 23, 2006. The application was denied accordingly.

On appeal, counsel for the applicant submits a Form I-290B, on which he states "We believe the decision was made in error and still believe [the applicant] is a U.S. Citizen. A brief will be submitted within 30 days." *Statement from Counsel on Form I-290B*, dated June 22, 2006. Counsel or the applicant provide no indication of what error of law or fact they believe was committed by the district director in this proceeding.

The appeal was filed on July 3, 2006. However, as of November 21, 2006, the AAO had received no further documentation or correspondence from the applicant or counsel. On November 21, 2006, the AAO sent a facsimile to counsel with notice that a brief or additional evidence had not been received, and affording five days in which to provide a copy of any missing filing. As of the date of this decision, the AAO has not received a response to the facsimile, and the record is deemed complete.

As noted above, counsel or the applicant do not discuss the district director's decision or state a basis for the appeal.

The regulation at 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.

Inasmuch as the applicant has failed to identify an erroneous conclusion of law or statement of fact in this proceeding, the appeal must be summarily dismissed pursuant to 8 C.F.R. § 103.3(a)(v).

ORDER: The appeal is summarily dismissed and the district director's decision is affirmed.