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U.S. Citizenship  
and Immigration  
Services

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SEP 28 2007

[REDACTED]

FILE:

[REDACTED]

OFFICE: SAN DIEGO, CA

DATE:

IN RE:

APPLICANT:

[REDACTED]

APPLICATION:

Application for Certificate of Citizenship pursuant to Section 309 of the Immigration and Nationality Act, 8 U.S.C. § 1409.

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, San Diego, California. The matter is now before the Administrative Appeals Office (AAO) on appeal. The appeal will be summarily dismissed.

The district director concluded that in spite of a written request allowing her 60 days to present evidence, the applicant had failed to provide her birth certificate and hospital record evidence establishing that U.S. citizen, [REDACTED] was her father. The Application for Certificate of Citizenship (Form N-600) was denied accordingly for lack of prosecution.

On appeal the applicant indicates, through counsel, that she and her mother were in the process of moving during the time period allowed for submission of the requested evidence, and that, "[t]ime past [sic] and slipped by, leaving no time to spare and finally the deadline passed." The applicant indicates through counsel that she did not deliberately ignore the request for evidence deadline, and she asks that documents submitted on appeal be accepted. The applicant submits two untranslated documents on appeal. In a handwritten annotation to the appeal letter, counsel for the applicant adds that he has "[b]een advised that Mexican Officer [sic] have said that documents will not be available for several weeks." Counsel provides no further details or information relating to the statements made by Mexican officials. The applicant makes no other assertions on appeal regarding the district director's decision or the content or relevance of the new evidence.

The regulation at 8 C.F.R. § 103.2(a)(3) provides in pertinent part:

*Translations.* Any document containing foreign language submitted to the Service [now U.S. Citizenship and Immigration Services, CIS] shall be accompanied by a full English language translation which the translator has certified as complete and accurate, and by the translator's certification that he or she is competent to translate from the foreign language into English.

The two documents submitted on appeal are not written in English, and they are not accompanied by certified English translations. The documents therefore fail to comply with the requirements set forth in 8 C.F.R. § 103.2(a)(3), and they serve no evidentiary purpose.

The AAO additionally notes that counsel's statement, that Mexican officers indicated the applicant's originally issued birth documents would not be available for several weeks, is vague and lacks explanation and corroborative evidence.

The regulation at 8 C.F.R. § 103.3(a)(v) provides 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.

Upon review of the record, the AAO finds that the applicant has failed to identify any erroneous conclusion of law or statement of fact on appeal. The appeal will therefore be summarily dismissed and the application will be denied.

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