

identifying data deleted to
prevent clearly unwarranted
invasion of personal privacy



U.S. Citizenship
and Immigration
Services

PUBLIC COPY

EL

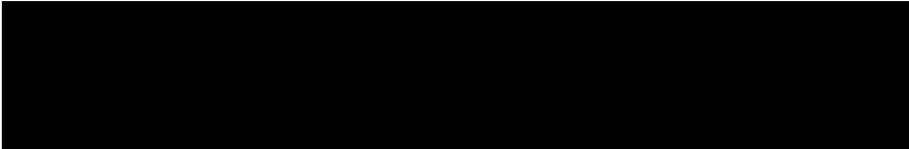


FILE: [REDACTED] OFFICE: CALIFORNIA SERVICE CENTER DATE: FEB 12 2008

IN RE: Applicant: [REDACTED]

APPLICATION: Application for Certificate of Citizenship under 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

Robert P. Wiemann, Chief
Administrative Appeals Office

DISCUSSION: The application was denied by the Director, California Service Center. The matter is now before the Administrative Appeals Office (AAO) on appeal. The appeal will be summarily dismissed and the application will be denied.

The applicant was found to be ineligible for U.S. citizenship under section 301(a)(7) of the former Immigration and Nationality Act (the former Act), 8 U.S.C. § 1401(a)(7) (now know as section 301(g) of the Immigration and Nationality Act, as amended (the Act), 8 U.S.C. § 1401(g)), because she failed to establish that her U.S. citizen mother was physically present in the United States for ten years prior to her birth, five years of which were after her mother turned fourteen.¹ The applicant's Form N-600, Application for Certificate of Citizenship (N-600 application) was denied accordingly.

On appeal the applicant asserts, through counsel, that, "[a]ppellant strongly disagrees with the decision made by Director in this case, because the same is not supportive after present immigration laws." Counsel indicates that a brief and/or evidence in support of the appeal will be sent to the AAO within thirty days. No other assertions are made on appeal, and the record does not contain the brief and/or evidence referred to by counsel.

On January 24, 2008, the AAO notified counsel, via fax, that no brief or evidence had been received. Counsel was given five business days to provide the AAO with a copy of the brief and/or evidence referred to on appeal. Counsel was advised that failure to respond to the AAO's notice could result in the summary dismissal of the applicant's appeal. Counsel responded on January 29, 2008, stating that no brief or evidence was filed in support of the applicant's appeal.

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 the applicant, through counsel, has failed to identify specifically any erroneous conclusion of law or statement of fact in her appeal. The appeal will therefore be summarily dismissed, and the application will be denied.

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

¹ Section 301(a)(7) of the former Act states in pertinent part that:

The following shall be nationals and citizens of the United States at birth: . . . a person born outside the geographical limits of the United States . . . of parents one of whom is an alien, and the other a citizen of the United States who, prior to the birth of such person, was physically present in the United States . . . for a period or periods totaling not less than ten years, at least five of which were after attaining the age of fourteen years.