



U.S. Citizenship
and Immigration
Services

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FILE:



Office: CHICAGO, IL (INDIANAPOLIS, IN)

Date: MAR 09 2006

IN RE:

APPLICANT:



APPLICATION: Application for Replacement Naturalization/Citizenship Document under Section 338 of the Immigration and Nationality Act, 8 U.S.C. § 1149.

ON BEHALF OF APPLICANT:

SELF-REPRESENTED

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, Chicago, Illinois. The matter is now before the Administrative Appeals Office (AAO) on appeal. The appeal will be dismissed.

The applicant is a native of Germany and became a lawful permanent resident of the United States on September 22, 1982. The applicant seeks the replacement of a lost Certificate of Citizenship pursuant to sections 338 and 343 of the Immigration and Nationality Act (the Act), 8 U.S.C. §§ 1149 and 1454.

The district director reviewed the applicant's written and computer database records, but found no evidence that the applicant had applied for, or been issued a U.S. Certificate of Citizenship. The application was denied accordingly.

The applicant asserts on appeal that he is a U.S. citizen and that he is entitled to a U.S. Certificate of Citizenship. He submits a copy of his U.S. passport as evidence of his U.S. citizenship.

Section 343 of the Act provides the statutory authority relating to the replacement of a lost Certificate of Citizenship. The specific regulations regarding the replacement of lost Certificates of Citizenship are contained in 8 C.F.R. § 343a.1(a) and provide in part that, "[a] person whose . . . certificate of naturalization, citizenship . . . has been lost, mutilated, or destroyed, shall apply on Form N - 565 for a new paper in lieu thereof."

The AAO finds the U.S. passport evidence submitted by the applicant does not establish that he applied for, or was at any time issued a Certificate of Citizenship by U.S. Citizenship and Naturalization Services (CIS, formerly the Immigration and Naturalization Service.) Because the applicant has failed to establish that he was issued a Certificate of Citizenship, his appeal will be dismissed.¹

ORDER: The appeal is dismissed.

¹ It is noted that the present decision is without prejudice, and that if eligible, the applicant may file a Form N-600, Application for Certificate of Citizenship to establish his U.S. citizenship and obtain a Certificate of Citizenship.