

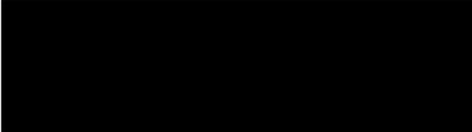
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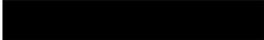
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**U.S. Citizenship
and Immigration
Services**

EB



FILE:  Office: SAN DIEGO, CA Date: JUN 19 2007

IN RE: 

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, 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 dismissed and the application denied.

The applicant is a native of the Netherlands. She seeks the replacement of a lost certificate of naturalization which she claims the Immigration and Naturalization Service (Service, now U.S. Citizenship and Immigration Services, CIS) issued to her on an unknown date in the 1960s.

The district director determined that the applicant had failed to present any evidence of her naturalization as a U.S. citizen. The applicant's Form N-565, Application for Replacement Naturalization/Citizenship Document under Section 338 of the Immigration and Nationality Act (Form N-565 Application) was denied accordingly.

The applicant indicates on appeal that she immigrated to the United States pursuant to a family-based immigrant visa in 1958, and that she became a naturalized U.S. citizen with her father on an unknown date in the 1960s. The applicant asserts that although she does not have her certificate of naturalization, her family's immigration records should verify the claim that she became a naturalized U.S. citizen in the 1960s. On this basis, the applicant asks that CIS issue a replacement of her certificate naturalization.

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

The AAO has reviewed the record of proceedings. In the present matter, the record contains no evidence to indicate or establish that the applicant became a naturalized U.S. citizen in the 1960s, or that she was at any time issued a certificate of naturalization by the Service (CIS). The AAO notes further that a CIS computer database search of all of the names used by the applicant, as set forth on page one, revealed no evidence or indication that the Service (CIS) at any time issued a certificate of naturalization to the applicant. Because the applicant failed to establish that she was previously issued a certificate of naturalization, or that she had a certificate of naturalization that was lost, mutilated or destroyed, the applicant is not eligible for a replacement thereof under section 343 of the Act. The applicant's appeal will therefore be dismissed and the application will be denied.

ORDER: The appeal is dismissed. The application is denied. ¹

¹ It is noted that the present decision is without prejudice, and that if eligible, the applicant may file a Form N-400, Application for Naturalization to become a naturalized U.S. citizen.