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U.S. Department of Homeland Security
U.S. Citizenship and Immigration Services
Office of Administrative Appeals MS 2090
Washington, DC 20529-2090



U.S. Citizenship
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[REDACTED]

FILE: [REDACTED] Office: TEXAS SERVICE CENTER Date: MAY 05 2010

IN RE: [REDACTED]

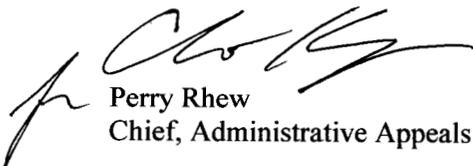
APPLICATION: Application for Replacement Naturalization Document under Section 343 of the Immigration and Nationality Act, 8 U.S.C. § 1454.

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.


Perry Rhew
Chief, Administrative Appeals Office

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

The applicant is a native of Korea and a naturalized citizen of the United States. She seeks to have a lost Certificate of Naturalization replaced under section 343 of the Immigration and Nationality Act (the Act), 8 U.S.C. § 1454.

The Director determined that the applicant failed to establish that she is a citizen of the United States or that any Certificate of Naturalization or Citizenship had been issued to her. The Form N-565 application was denied accordingly.

On appeal, the applicant asserts that she was sworn in as a U.S. citizen in the 1980s. In support of this assertion, she submits copies of two U.S. passports and a Florida voter identification card.

Section 343 of the Act, 8 U.S.C. § 1454, provides the statutory authority relating to the replacement of a lost certificate of naturalization. The 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."

Here, the record shows that the applicant was issued a Certificate of Naturalization on April 6, 1984 by the Supreme Court of Nassau County, New York (Certificate Number 11727379). The applicant credibly explained that she lost her naturalization certificate when she was divorced from her former husband and moved from New York to Florida. The applicant's statement is consistent with her petition and application for naturalization dated in 1983 and 1982 respectively, which list her prior residence in New York and reflect that she was formerly married. Accordingly, the applicant is eligible for a replacement certificate under section 343 of the Act. The applicant's appeal will be sustained and the case returned to the Texas Service Center for further action.

ORDER: The appeal is sustained. The case is returned to the Texas Service Center for further action in accordance with this decision..