

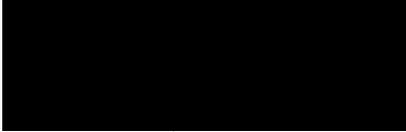
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U.S. Citizenship
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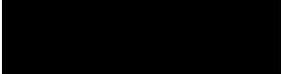
KI

NOV 23 2004

FILE: 

Office: PHOENIX, AZ

Date:

IN RE: Applicant: 

APPLICATION: Application for Certificate of Citizenship under the Act of May 24, 1934, 48 Stat. 797 and Section 1993 of the Revised Statutes of the United States.

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 Interim District Director, Phoenix, Arizona, and is now before the Administrative Appeals Office (AAO) on appeal. The appeal will be summarily dismissed.

The record reflects that the applicant was born on September 18, 1937, in Mexico. The applicant's father, [REDACTED] was born in Texas on August 31, 1911, and he is a U.S. citizen. The applicant's mother, [REDACTED] was born in Mexico and she became a naturalized U.S. citizen on December 21, 1995. The applicant's parents were married in Mexico on September 12, 1936. The applicant seeks a certificate of citizenship pursuant to the Act of May 24, 1934, 48 Stat. 797, and section 1993 of the Revised Statutes of the United States.

In a decision dated November 28, 2003, the interim district director found the applicant had failed to establish that her father was physically present in the United States for ten years prior to the applicant's birth, five years of which were after he reached the age of fourteen, as required by section 301 of the former Immigration and Nationality Act (the former Act), 8 U.S.C. § 1401. Pursuant to a Service Motion to Reconsider the Denial of the Application for Certificate of Citizenship (N-600 application), the interim district director found that his previous decision had applied an incorrect section of law to the applicant's case. The matter was subsequently reconsidered, and on April 15, 2004, the interim district director provided the applicant with an additional thirty days to provide evidence that her father resided in the United States prior to her birth, as set forth in section 1993 of the Revised Statutes of the United States. On May 21, 2004, the interim district director re-denied the applicant's N-600 application on the basis that the applicant had provided no information or evidence to establish that her father resided in the United States prior to her birth.

The applicant states on appeal that she is unable to find supporting documentation to prove her father's residence in the U.S. prior to her birth. The applicant presents no other evidence or information on appeal, and she makes no assertions regarding her eligibility for U.S. citizenship.

8 C.F.R. § 103.3(a)(v) states in pertinent part:

(v) 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 failed to identify any erroneous conclusion of law or statement of fact in her appeal. The appeal will therefore be summarily dismissed.

ORDER: The appeal is summarily dismissed.