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U.S. Department of Homeland Security
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Washington, DC 20529



U.S. Citizenship
and Immigration
Services

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FILE:

Office: DALLAS, TX

Date:

MAR 18 2008

IN RE:

Applicant:

APPLICATION: Application for Certificate of Citizenship pursuant to Section 301(a)(7) of the former Immigration and Nationality Act, 8 U.S.C. § 1401(a)(7).

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, Dallas, Texas. The matter is now before the Administrative Appeals Office (AAO) on appeal. The appeal will be rejected.

The record reflects that the applicant filed her Form N-600, Application for Certificate of Citizenship (N-600 application) on April 22, 2005. The U.S. Citizenship and Immigration Services (CIS) district director subsequently issued a request for appearance for an interview. The applicant did not respond to the request for appearance, and she did not appear for her interview. The district director denied the applicant's N-600 application on May 12, 2006, due to abandonment, pursuant to 8 C.F.R. § 103.2(b)(13).

On appeal, the applicant asserts that she did not receive the CIS request for appearance.

The regulation provides in pertinent part at 8 C.F.R. § 103.2(b)(13), that failure to respond to a request to appear for an interview shall be considered abandonment of an application, and shall result in denial.

The regulation provides at 8 C.F.R. § 103.2(b)(15) that:

[A] denial due to abandonment may not be appealed, but an applicant or petitioner may file a motion to reopen under Sec. 103.5. . . .

In the present matter, the district director determined that the applicant's N-600 application was abandoned, and the application was denied pursuant to 8 C.F.R. § 103.2(b)(13). Because a denial due to abandonment cannot be appealed to the AAO, the present appeal must be rejected.¹

ORDER: The appeal is rejected.

¹ The present decision does not preclude the applicant from filing a new N-600 application, or a Motion to Reopen at the CIS district office, as set forth in 8 C.F.R. § 103.2(b)(15).