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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  
and Immigration  
Services

E<sub>2</sub>

FILE: [REDACTED] Office: SAN ANTONIO, TX

Date: OCT 13 2010

IN RE: Applicant: [REDACTED]

APPLICATION: Application for Certificate of Citizenship under Former Sections 301(a)(7) and 309(a) of the Immigration and Nationality Act; 8 U.S.C. §§ 1401(a)(7) and 1409(a) (1962).

ON BEHALF OF APPLICANT:

[REDACTED]

INSTRUCTIONS:

Enclosed please find the decision of the Administrative Appeals Office in your case. All of the documents related to this matter have been returned to the office that originally decided your case. Please be advised that any further inquiry that you might have concerning your case must be made to that office.

If you believe the law was inappropriately applied by us in reaching our decision, or you have additional information that you wish to have considered, you may file a motion to reconsider or a motion to reopen. The specific requirements for filing such a request can be found at 8 C.F.R. § 103.5. All motions must be submitted to the office that originally decided your case by filing a Form I-290B, Notice of Appeal or Motion, with a fee of \$585. Please be aware that 8 C.F.R. § 103.5(a)(1)(i) requires that any motion must be filed within 30 days of the decision that the motion seeks to reconsider or reopen.

Thank you,

  
Perry Rhew  
Chief, Administrative Appeals Office

**DISCUSSION:** The application was denied by the Field Office Director, San Antonio, Texas, and is now before the Administrative Appeals Office (AAO) on appeal. The appeal will be dismissed.

The record reflects that the applicant was born on October 19, 1962 in Mexico. The applicant's birth certificate lists [REDACTED] as the applicant's mother. The applicant claims that his father is [REDACTED], a U.S. citizen born on June 10, 1930. The applicant's parents were not married to each other. The applicant seeks a certificate of citizenship claiming that he acquired U.S. citizenship at birth through his father.

The field office director denied the applicant's citizenship claim finding that he had failed to establish that he was the legitimate child of [REDACTED] as required by former section 309(a) of the Act, 8 U.S.C. § 1409(a) (1962).

On appeal, the applicant indicated that further evidence in support of his citizenship claim would be submitted to the AAO within 30 days. *See Statement on the Form I-290B, Notice of Appeal.* The applicant subsequently requested an extension to September 18, 2010 to submit a brief and additional evidence. To date, no brief or additional evidence has been received by this office.

8 C.F.R. § 103.3(a)(1) states in pertinent part that:

(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 applicant's appeal fails to specifically identify any erroneous conclusion of law or statement of fact in the field office director's decision. The director's decision reflects a careful consideration of the evidence submitted in support of the applicant's citizenship claim and the applicant has not identified any legal or factual errors in the director's decision or otherwise overcome any of the deficiencies noted therein. The appeal is therefore summarily dismissed.

**ORDER:** The appeal is dismissed.