



U.S. Citizenship  
and Immigration  
Services

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JUN 10 2005

FILE:



Office: NEW YORK, NY

Date:

IN RE:

Applicant:



APPLICATION:

Application for Certificate of Citizenship under Section 320 of the Immigration and Nationality Act; 8 U.S.C. § 1431.

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 District Director, New York, New York, 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 January 22, 1984, in the Philippines. The applicant's father, [REDACTED] was born in the Philippines on August 21, 1952, and he became a naturalized U.S. citizen on March 31, 1992. The applicant's mother was born in the Philippines on September 21, 1961, and she is not a U.S. citizen. The applicant's parents did not marry. The applicant was admitted into the United States as a lawful permanent resident on May 19, 2001. She seeks a certificate of citizenship pursuant to section 320 of the Immigration and Nationality Act (the Act). 8 U.S.C. § 1431, based on the claim that she acquired U.S. citizenship through her father.

The district director found that the applicant did not meet the definition of "child" as set forth in section 101(c) of the Act; 8 U.S.C. 1101(c) because she had not been legitimated by her U.S. citizen father. The district director determined that the applicant was therefore not eligible for citizenship under section 320 of the Act, and the application was denied accordingly.

On appeal, the applicant requests an additional thirty-three days to submit a brief and/or evidence to the AAO. The applicant makes no assertions on appeal, and she provides no other information or evidence relating to her claim to citizenship. The AAO notes that no brief or evidence was received by the AAO.

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.