U.S. Department of Homeland Security
20 Massachusetts Ave., N.W., Rm. A3042
Washington, DC 20529

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U.S. Citizenship and Immigration Services

PUBLIC COPY

[redacted]

FILE: [redacted] Office: SEATTLE (YAKIMA) Date: SEP 21 2005

IN RE: Applicant: [redacted]

APPLICATION: Application for Certificate of Citizenship pursuant to § 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, Seattle, Washington, and is now before the Administrative Appeals Office (AAO) on appeal. The appeal will be dismissed.

The applicant seeks a certificate of citizenship pursuant to § 320 of the Immigration and Nationality Act (the former Act); 8 U.S.C. § 1431, through his step-mother's U.S. citizenship. The district director determined that the applicant did not meet the definition of "child" for the purposes of § 320 of the act. The district director noted that a step-child is not the equivalent of a "child" under applicable citizenship law. The application was denied accordingly.

The applicant submitted a timely Notice of Appeal Form I-290B, which Citizenship and Immigration received on March 7, 2005. On the appeal form, the applicant indicated that his father was about to become a naturalized citizen, and he wrote that he would send a copy of his father's certificate of naturalization to the AAO within 30 days. As of this date, however, the AAO has not received any additional evidence into the record. Therefore, the record is complete.

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. 8 C.F.R. § 103.3(a)(1)(v). On appeal, the applicant does not specify how the district director made any erroneous conclusion of law or statement of fact in denying the application. As the applicant fails to present additional evidence on appeal to overcome the decision of the district director, the appeal will be summarily dismissed in accordance with 8 C.F.R. § 103.3(a)(1)(v).

The burden of proof in this proceeding rests solely with the applicant. Section 291 of the Act, 8 U.S.C. § 1361. The applicant has not sustained that burden.

ORDER: The appeal is dismissed.