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U.S. Department of Homeland Security  
20 Massachusetts Ave., N.W., Rm. 3000  
Washington, DC 20529



U.S. Citizenship  
and Immigration  
Services

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FILE:

Office: WASHINGTON, DC

Date:

MAR 18 2008

IN RE:

Applicant:



APPLICATION: Application for Certificate of Citizenship pursuant to 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.

A handwritten signature in black ink, appearing to read "Robert P. Wiemann".

Robert P. Wiemann, Chief  
Administrative Appeals Office

**DISCUSSION:** The application was denied by the District Director, Washington, D.C. The matter is now before the Administrative Appeals Office (AAO) on appeal. The appeal will be rejected.

The record reflects that the applicant filed his Form N-600, Application for Certificate of Citizenship (N-600 application) on February 13, 2004. On August 10, 2006, the U.S. Citizenship and Immigration Services (CIS) district director issued a Request for Evidence (RFE) requesting, amongst other things, a copy of the applicant's parents' marriage certificate. A second RFE requesting a copy of the applicant's parents' marriage certificate was sent to the applicant on October 6, 2006. Both RFEs indicated that the applicant's failure to respond could result in a denial of his case due to abandonment. The record reflects that the applicant did not respond to the district director's requests for evidence. Accordingly, the district director denied the N-600 application on December 7, 2006, due to abandonment.

On appeal, the applicant indicates that his parents' marriage certificate was lost, and that he is now submitting a reissued marriage certificate.

The regulation provides in pertinent part at 8 C.F.R. § 103.2(b)(13) that:

[I]f all requested initial evidence and requested additional evidence is not submitted by the required date, the application or petition shall be considered abandoned and, accordingly, shall be denied. . . .

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. Withdrawal or denial due to abandonment does not preclude the filing of a new application or petition with a new fee. . . .

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.<sup>1</sup>

**ORDER:** The appeal is rejected.

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