



U.S. Citizenship
and Immigration
Services

E2

FILE:

Office: HARLINGEN, TX

Date:

DEC 07 2009

IN RE:

Applicant:

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

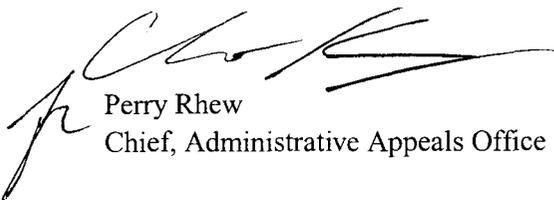
ON BEHALF OF APPLICANT:

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.

If you believe the law was inappropriately applied or you have additional information that you wish to have considered, you may file a motion to reconsider or a motion to reopen. Please refer to 8 C.F.R. § 103.5 for the specific requirements. 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. Any motion must be filed within 30 days of the decision that the motion seeks to reconsider or reopen, as required by 8 C.F.R. § 103.5(a)(1)(i).



Perry Rhew
Chief, Administrative Appeals Office

DISCUSSION: The application was denied by the Field Office Director, Harlingen, 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 March 27, 1954 in Mexico. The applicant's parents, as indicated on her birth certificate, are [REDACTED] and [REDACTED]. The applicant's mother was born in Mexico on April 8, 1931, but acquired U.S. citizenship at birth through her father. The applicant's parents were married in Mexico in 1950. The applicant seeks a certificate of citizenship claiming that she acquired U.S. citizenship at birth through her mother.

The field office director found that the applicant had failed to establish that her mother had the required five years of physical presence in the United States after attaining the age of 14 years, and therefore concluded that the applicant did not derive U.S. citizenship under section 301(a)(7) of the former Immigration and Nationality Act (the former Act), 8 U.S.C. § 1401(a)(7) (1954).¹

On appeal, the applicant does not submit any additional evidence or argument. *See Applicant's Appeal Statement.*² The appeal does not dispute or otherwise address the grounds upon which the applicant's application for certificate of citizenship was denied. The AAO notes that the record does not contain any evidence of the applicant's mother's physical presence in the United States after attaining the age of 14 as is required by section 301(a)(7) of the former Act.

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 AAO finds that the applicant's appeal fails to identify any erroneous conclusion of law or statement of fact in the field office director's decision. The appeal is therefore summarily dismissed.

ORDER: The appeal is summarily dismissed.

¹ Section 301(a)(7) of the former Act was re-designated as section 301(g) upon enactment of the Act of October 10, 1978, Pub. L. 95-432, 92 Stat. 1046. The substantive requirements of this provision remained the same until the enactment of the Act of November 14, 1986, Pub. L. 99-653, 100 Stat. 3655.

² On the Form I-290B, Notice of Appeal, dated August 13, 2008, the applicant indicated that she would submit additional evidence within 30 days. To date, over a year later, the AAO has received nothing further from the applicant.