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U.S. Department of Homeland Security
U.S. Citizenship and Immigration Services
Office of Administrative Appeals
Washington, DC 20529-2090

U.S. Citizenship
and Immigration
Services

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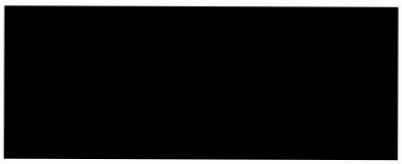

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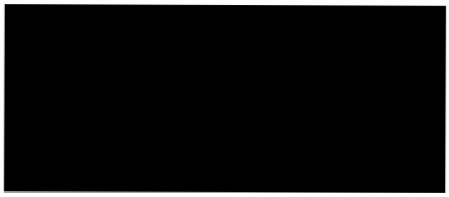
FILE: [redacted] Office: EL PASO Date: MAR 1 9 2009

IN RE: [redacted]

APPLICATION: Application for Certificate of Citizenship under Section 201(g) of the Nationality Act of 1940; 8 U.S.C. § 601(g).

ON BEHALF OF APPLICANT:



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, as required by 8 C.F.R. 103.5(a)(1)(i).

John F. Grissom
Acting Chief, Administrative Appeals Office

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

The record reflects that the applicant was born on October 27, 1946 in Mexico. The applicant's father, was born on May 26, 1926 in the United States. The applicant seeks a certificate of citizenship pursuant to section 201(g) of the Nationality Act of 1940, 8 U.S.C. § 601(g), based on the claim that she acquired U.S. citizenship at birth through her father.

The field office director denied the applicant's citizenship claim upon finding that the applicant's father could not have resided in the United States prior to the applicant's birth for five years after the age of sixteen because the applicant was born before her father's twenty-first birthday.

On appeal, counsel provided no statement explaining an erroneous conclusion of law or fact in the field officer director's decision, and submitted no additional evidence.

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.