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



U.S. Citizenship  
and Immigration  
Services

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[Redacted]

FILE: [Redacted] Office: HARLINGEN, TX

Date: JUN 24 2010

IN RE: Applicant: [Redacted]

APPLICATION: Application for Certificate of Citizenship under Former Section 320 of the Immigration and Nationality Act; 8 U.S.C. § 1431 (1978).

ON BEHALF OF APPLICANT:

[Redacted]

**INSTRUCTIONS:**

Enclosed please find the decision of the Administrative Appeals Office in your case. All of the documents related to this matter have been returned to the office that originally decided your case. Please be advised that any further inquiry that you might have concerning your case must be made to that office.

If you believe the law was inappropriately applied by us in reaching our decision, or you have additional information that you wish to have considered, you may file a motion to reconsider or a motion to reopen. The specific requirements for filing such a request can be found at 8 C.F.R. § 103.5. 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. Please be aware that 8 C.F.R. § 103.5(a)(1)(i) requires that any motion must be filed within 30 days of the decision that the motion seeks to reconsider or reopen.

Thank you,

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 April 10, 1957 in Mexico. The applicant was adopted in 1965 by [REDACTED] and [REDACTED]. The applicant's adopted father was born in the United States, and his adoptive mother was born in Mexico but later naturalized (in 1970). The applicant was admitted to the United States as a lawful permanent resident on October 27, 1965. The applicant's eighteenth birthday was in 1975. The applicant seeks a certificate of citizenship claiming that he acquired U.S. citizenship upon his adopted mother's naturalization.

The field office director noted that adopted children were not included in the provisions of former section 320 of the Immigration and Nationality Act (the Act), 8 U.S.C. § 1431 (1978). The application was accordingly denied. On appeal, counsel states that the director's interpretation of the law was erroneous. *See* Statement of the Applicant on Form I-290B, Notice of Appeal to the AAO. Counsel stated that a legal brief would be submitted within 30 days. Counsel signed the Form I-290B on October 7, 2009. To date, the AAO has received no brief or further correspondence from counsel.

The appeal does not dispute or otherwise address the grounds upon which the application was denied. The applicant has not submitted any additional evidence or argument on appeal.

The regulation at 8 C.F.R. § 103.3(a)(1)(v) states, in pertinent part:

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 applicant's Form I-290B fails to specifically identify any erroneous conclusion of law or statement of fact in the field office director's decision. The appeal must therefore be summarily dismissed.

**ORDER:** The appeal is summarily dismissed.