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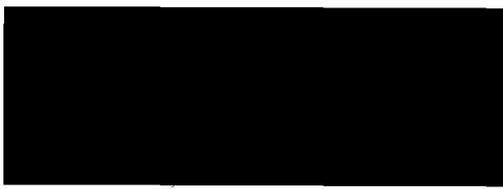
U.S. Department of Homeland Security
U.S. Citizenship and Immigration Services
Office of Administrative Appeals MS 2090
Washington, DC 20529-2090



U.S. Citizenship
and Immigration
Services

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FILE:



Office: HOUSTON, TX

Date: **OCT 22 2010**

IN RE:

Applicant:



APPLICATION: Application for Certificate of Citizenship under Former Section 301 of the
Immigration and Nationality Act, 8 U.S.C. § 1401 (1978).

ON BEHALF OF APPLICANT:

SELF-REPRESENTED

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, Houston, Texas, and is now before the Administrative Appeals Office (AAO) on appeal. The appeal will be rejected.

The Form I-290B, Notice of Appeal to the AAO, was submitted on June 27, 2008 and signed by [REDACTED] not the applicant herself. The appeal, however, is not accompanied by a Form G-28, Notice of Entry of Appearance as Attorney or Representative. The applicant's file contains a Form G-28, Notice of Entry of Appearance as Attorney or Representative, filed in conjunction with the applicant's Form N-600, Application for Certificate of Citizenship, but it is signed by [REDACTED]

The regulation at 8 C.F.R. § 292.4(a) require, in pertinent part, that a signed Form G-28, Notice of Entry of Appearance as Attorney or Representative, be submitted in order for an attorney to be recognized as the applicant's representative. The regulations further provide, at 8 C.F.R. § 103.3(a)(iii)(B), that an appeal may be filed by "the person or entity with legal standing in a proceeding," and "affected party." An affected party may be represented by an attorney in accordance with 8 C.F.R. § 292. *Id.*

On October 4, 2010, the AAO issued a notice via facsimile transmission notifying [REDACTED] that a Form G-28, Notice of Entry of Appearance as Attorney or Representative, was not in the record and that failure to submit a signed Form G-28, Notice of Entry of Appearance as Attorney or Representative, within five business days may result in the appeal being rejected. A Form G-28, Notice of Entry of Appearance as Attorney or Representative, has not been received by this office. An appeal that is filed without a properly executed Form G-28 is considered an improperly filed appeal and it must be rejected. 8 C.F.R § 103.3(a)(2)(v)(A)(2)(i). The appeal will therefore be rejected.

ORDER: The appeal is rejected.