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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: [REDACTED] Office: YAKIMA, WA Date: SEP 08 2010

IN RE: Applicant: [REDACTED]

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

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, Yakima, Washington, 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 December 17, 1988 in Canada. The applicant's parents, as indicated on her birth certificate, are [REDACTED] and [REDACTED]. The applicant's mother was born in the United States in 1965. The applicant's parents were married in the United States on March 24, 1988. 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 submit the requested evidence to establish her eligibility for U.S. citizenship. The application was accordingly deemed abandoned and denied.

On appeal, the applicant, states that she would be submitting the requested information "as soon as" she could get it. *See Applicant's Statement on the Form I-290B, Notice of Appeal.* To date, over three years later, no brief or additional evidence has been received by this office.

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 record contains the applicant's mother's birth and marriage certificates, which establish that she was in the United States in 1965 and 1988, respectively. Nevertheless, there is no evidence in the record to establish that her mother was physically present in the United States for the five years prior to her birth, two of which while after the age of 14, as is required by section 301(g) of the Act, 8 U.S.C. § 1401(g). On appeal, the applicant submits no further evidence and identifies no error of fact or law in the field office director's decision. The appeal therefore must be summarily dismissed.

ORDER: The appeal is dismissed.