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U.S. Department of Homeland Security
U.S. Citizenship and Immigration Services
Administrative Appeals Office (AAO)
20 Massachusetts Ave., N.W., MS 2090
Washington, DC 20529-2090
**U.S. Citizenship
and Immigration
Services**



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Date: **DEC 05 2011** Office: PHILADELPHIA, PA

File: 

IN RE: 

APPLICATION: Application for Certificate of Citizenship under former section 321 of the Immigration and Nationality Act, 8 U.S.C. § 1432

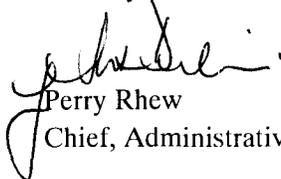
ON BEHALF OF APPLICANT: Self-represented

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 the \$630 fee. 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 for Certificate of Citizenship (Form N-600) was denied by the Field Office Director, Philadelphia, Pennsylvania, and is now before the Administrative Appeals Office (AAO) on appeal. The appeal will be dismissed.

The applicant seeks a certificate of citizenship under former section 321(a) of the Immigration and Nationality Act (the Act), 8 U.S.C. § 1432(a), claiming that he derived citizenship through his mother.

The director determined that the applicant failed to establish eligibility for derivative citizenship under former section 321(a) of the Act because he failed to provide evidence that he was under the age of 18 years at the time his mother naturalized. The application was denied accordingly, and the applicant filed a timely appeal.

The immigration regulations at 8 C.F.R. § 103.3(a)(1)(v) state, in pertinent part:

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.

On appeal, the applicant contends that the Child Status Protection Act (CSPA) of 2002 applies to his case; however, the CSPA only applies to immediate relative petitions and not to derivation of citizenship under former section 321 of the Act. The applicant makes reference to his grandfather's naturalization in 1995; however, the applicant cannot derive citizenship through his grandfather. The applicant does not make any further arguments in regard to the basis for his appeal. The record does not contain the brief and/or evidence that the applicant indicated would be submitted to the AAO, and he fails to identify either on the Form I-290B or through submission of a brief or evidence any erroneous conclusion of law or statement of fact made by the director. The AAO, therefore, will summarily dismiss the appeal.

ORDER: The appeal is summarily dismissed.