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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

PUBLIC COPY

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Date: **DEC 19 2011**

Office: DALLAS, TX

File:

IN RE:

APPLICATION:

Application for Certificate of Citizenship under section 201 of the Nationality Act of 1940, 8 U.S.C. § 601

ON BEHALF OF APPLICANT:

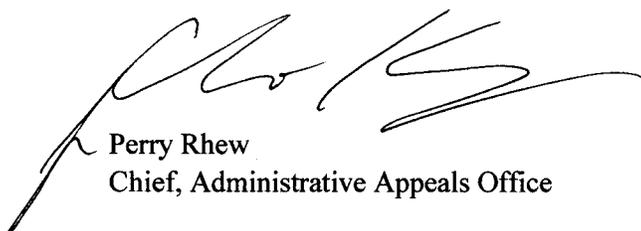
Self-represented

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 \$630. 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 Field Office Director, Dallas, Texas, denied the Application for Certificate of Citizenship (Form N-600) and it is now before the Administrative Appeals Office (AAO) on appeal. The appeal will be dismissed.

The applicant seeks a certificate of citizenship pursuant to section 201 of the Nationality Act of 1940 (the 1940 Act), 8 U.S.C. § 601 (1945), based on the claim that he acquired U.S. citizenship at birth through his mother.

The Field Office Director found that the applicant failed to establish that he met the physical presence requirements in section 201 of the 1940 Act. The Field Office Director also determined that the applicant was not eligible to derive U.S. citizenship under section 320 of the Immigration and Nationality Act. 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 concedes that there was insufficient evidence of his mother's physical presence in the United States for the required period. The applicant, however, requests that the AAO consider that several factors had a negative impact on his ability to prepare his application and requests an extension of time in which to submit additional evidence.¹ The applicant does not make any further arguments in regard to the basis for the appeal. The applicant 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.

¹ The applicant requested an extension until December 19, 2011 due to possible delays in his release from prison, which is one of the factors he claims impeded his ability to file a proper application. The applicant was released from prison and was removed from the United States on August 12, 2011. The applicant has failed to submit any additional evidence.