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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**

[Redacted]

Ez

FILE: [Redacted]

Office: HOUSTON, TX

Date:

FEB 02 2011

IN RE: Applicant: [Redacted]

APPLICATION: Application for Certificate of Citizenship under Former Section 321 of the Immigration and Nationality Act, 8 U.S.C. § 1432 (repealed).

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 \$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 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 summarily dismissed.

The record reflects that the applicant was born on September 3, 1974. The applicant's parents became U.S. citizens upon their naturalization in 2000 and 2001, respectively. The applicant's eighteenth birthday was on September 3, 1992. He was over the age of 18 when his parents naturalized and is therefore statutorily ineligible to derive U.S. citizenship through them. The field office director denied the applicant's citizenship claim finding that he was ineligible for U.S. citizenship under either section 320 of the Immigration and Nationality Act (the Act), 8 U.S.C. § 1431, as amended, or former section 321 of the Act, 8 U.S.C. § 1432 (repealed), because he was over the age of 18.

The applicant, through counsel, states in his Form I-290B, Notice of Appeal, that a brief in support of the appeal will be submitted. There is no statement explaining any erroneous conclusion of law or fact in the director's decision. The appeal is not accompanied by any appeal brief or additional evidence, nor has any brief or additional evidence been received since the appeal was filed in October 2010.

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 applicant's appeal does not identify any legal or factual errors in the director's decision or otherwise overcome any of the deficiencies noted therein. The appeal is therefore summarily dismissed.

ORDER: The appeal is summarily dismissed.