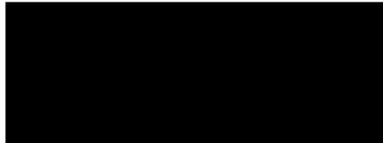


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invasion of personal privacy
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U.S. Department of Homeland Security
U.S. Citizenship and Immigration Services
Administrative Appeals Office (AAO)
20 Massachusetts Ave., N.W., MS 2090
Washington, DC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



U.S. Citizenship
and Immigration
Services



E₂

Date: **JUL 16 2012**

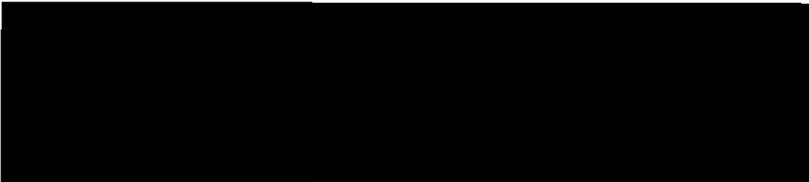
Office: HARLINGEN, TX

FILE: 

IN RE: Applicant: 

APPLICATION: Application for Certificate of Citizenship under Section 301 of the Immigration and Nationality Act; 8 U.S.C. § 1401 (1969)

ON BEHALF OF APPLICANT:

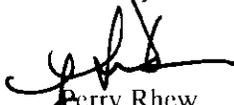


INSTRUCTIONS:

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 AAO inappropriately applied the law in reaching its decision, or you have additional information that you wish to have considered, you may file a motion to reconsider or a motion to reopen in accordance with the instructions on Form I-290B, Notice of Appeal or Motion, with a fee of \$630, or a request for a fee waiver. The specific requirements for filing such a motion can be found at 8 C.F.R. § 103.5. **Do not file any motion directly with the AAO.** Please be aware that 8 C.F.R. § 103.5(a)(1)(i) requires any motion to 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, Harlingen, Texas, and the matter 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 [REDACTED] in Mexico. The applicant seeks a certificate of citizenship claiming that he acquired U.S. citizenship through his father.

The field office director found that the applicant did not automatically acquire U.S. citizenship at birth under the applicable former section 301 of the Immigration and Nationality Act (the Act), 8 U.S.C. § 1401 (1969), because he could not establish that his father was physically present in the United States for the required 10 years prior to the applicant's birth.

The applicant's Form I-290B, Notice of Appeal, does not contain any statement describing any error or conclusion of law or fact in the director's decision. The appeal is not accompanied by any appeal brief or additional evidence. Counsel indicates on the Form I-290B that a "brief will be submitted to the AAO within 30 days," but no brief has been received by this office to date, over five months after the appeal was filed.

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 dismissed.