



U.S. Citizenship
and Immigration
Services

(b)(6)

Date:

OCT 06 2014

Office: MIAMI, FL

FILE:

IN RE:

Applicant:

APPLICATION:

Application for Certificate of Citizenship Under Former Section 301(a)(7) of the Immigration and Nationality Act, 8 U.S.C. § 1401(a)(7)(1976).

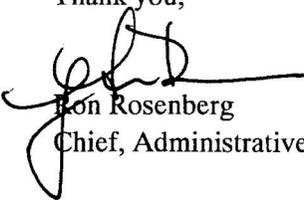
ON BEHALF OF APPLICANT:

INSTRUCTIONS:

Enclosed please find the decision of the Administrative Appeals Office (AAO) in your case.

This is a non-precedent decision. The AAO does not announce new constructions of law nor establish agency policy through non-precedent decisions. If you believe the AAO incorrectly applied current law or policy to your case or if you seek to present new facts for consideration, you may file a motion to reconsider or a motion to reopen, respectively. Any motion must be filed on a Notice of Appeal or Motion (Form I-290B) within 33 days of the date of this decision. **Please review the Form I-290B instructions at <http://www.uscis.gov/forms> for the latest information on fee, filing location, and other requirements. See also 8 C.F.R. § 103.5. Do not file a motion directly with the AAO.**

Thank you,


Leon Rosenberg

Chief, Administrative Appeals Office

DISCUSSION: The Application for Certificate of Citizenship (Form N-600) was denied by the Field Office Director (director), Miami, Florida, 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 April 21, 1976 in Guatemala. The applicant indicates that her father was born in the United States on March 20, 1948, and claims that she acquired U.S. citizenship at birth through him.

The director denied the application finding that applicant's father was not physically present in the United States for ten years prior to the applicant's birth as is required by former section 301(a)(7) of the Immigration and Nationality Act, 8. U.S.C. § 1401(a)(7)(1976).

The applicant's Form I-290B, Notice of Appeal, does not contain any statement explaining any error or conclusion of law or fact in the director's decision. In Part 3 of the Form I-290B, counsel indicates that there is an attached addendum explaining the basis for the appeal. The record before us does not contain any addendum. We have also not separately received any brief or additional evidence.

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 does not identify any errors made by the director, and the evidence in the record supports the director's finding that the applicant's father was present in the United States for only three years prior to the applicant's birth. The applicant's appeal, therefore, fails to identify specifically any erroneous conclusion of law or statement of fact, and will be summarily dismissed.

In these proceedings, it is the applicant's burden to establish eligibility for the immigration benefit sought. Section 291 of the Act, 8 U.S.C. § 1361; 8 C.F.R. § 341.2(c). Here, that burden has not been met.

ORDER: The appeal is dismissed.