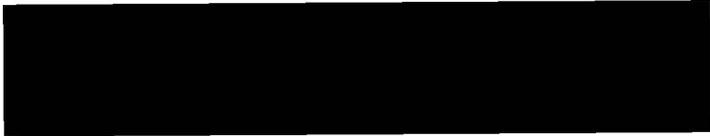




U.S. Citizenship
and Immigration
Services

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prevent clearly unwarranted
invasion of personal privacy**



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FILE:



Office: TEXAS SERVICE CENTER

Date: **APR 23 2008**

IN RE:

Applicant:



APPLICATION: Application for Replacement Naturalization/Citizenship Document under Section 338 of the Immigration and Nationality Act, 8 U.S.C. § 1149.

ON BEHALF OF APPLICANT:

SELF-REPRESENTED

INSTRUCTIONS:

This is the decision of the Administrative Appeals Office in your case. All documents have been returned to the office that originally decided your case. Any further inquiry must be made to that office.

Robert P. Wiemann, Chief
Administrative Appeals Office

DISCUSSION: The application was denied by the Director, Texas Service Center. The matter is now before the Administrative Appeals Office (AAO) on appeal. The appeal will be dismissed.

The applicant is a native of Canada and a naturalized citizen of the United States. She seeks to have her Certificate of Naturalization corrected under section 338 of the Immigration and Nationality Act (the Act), 8 U.S.C. § 1449, to reflect a change in her name from [REDACTED] to [REDACTED].

The Director reviewed the applicant's record and determined that she was not eligible for a new certificate of naturalization. The application was denied accordingly.

On appeal, the applicant states that all of her legal documents are in her correct name of [REDACTED] or [REDACTED]. The applicant does not submit any additional documents on appeal.

Section 343 of the Act states, in part, that:

- (c) If the name of any naturalized citizen has, subsequent to naturalization, been changed by order of any court of competent jurisdictions, or by marriage, the citizen may make application for a new certificate of naturalization in the new name of such citizen. If the Attorney General [now Secretary of Homeland Security] finds the name of the applicant to have been changed as claimed, the Attorney General shall issue to the applicant a new certificate and shall notify the court of such action.

In the present case, the applicant seeks a new certificate of naturalization in the name of [REDACTED]. The AAO notes that the record contains a statement from a the State of Vermont regarding disability insurance, a social security card, a Medicare card, a lease, rent receipts, a cable receipt and bill, a medical bill, a car insurance bill, and telephone bills listing the applicant's name as [REDACTED] or [REDACTED]. The AAO notes that the record also contains a divorce certificate; and a Form G-325A, Biographic Information sheet listing the applicant's name as [REDACTED]. The record also contains a Form N-405, Petition for Naturalization and a Form N-400, Application to File Petition for Naturalization listing the applicant's name as [REDACTED], an Application for Immigrant Visa and Alien Registration listing the applicant's name as [REDACTED] with the nickname of [REDACTED] and an untranslated birth certificate identifying the applicant as [REDACTED].

As the applicant has not provided any documentation to show that her name has been changed by order of any court of competent jurisdiction or by marriage, the AAO finds that the evidence in the record does not satisfy the requirement at section 343(c) of the Act for a new Certificate of Naturalization. Accordingly, the applicant has not established eligibility for a new Certificate of Naturalization to the applicant under section 343 of the Act.

The appeal will be dismissed without prejudice.

ORDER: The appeal is dismissed.