

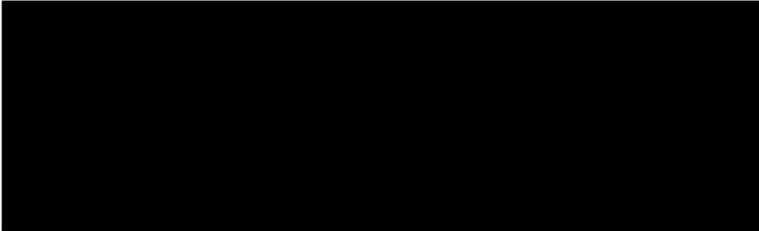
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U.S. Department of Homeland Security
U.S. Citizenship and Immigration Services
Office of Administrative Appeals MS 2090
Washington, DC 20529-2090



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FILE: [REDACTED] Office: NEBRASKA SERVICE CENTER

Date: **JUL 16 2010**

IN RE: Applicant: [REDACTED]

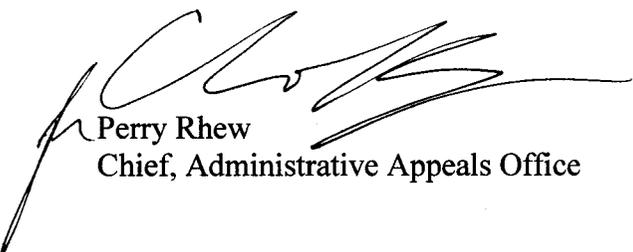
APPLICATION: Application for a Replacement Naturalization Certificate pursuant to section 343 of the Immigration and Nationality Act, 8 U.S.C. § 1454

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.



Perry Rhew
Chief, Administrative Appeals Office

DISCUSSION: The application for a replacement naturalization certificate was denied by the Director, Nebraska Service Center. The matter is now before the Administrative Appeals Office (AAO) on appeal. The appeal will be sustained and the case returned to the service center for issuance of a replacement certificate.

The applicant is a native of Laos and naturalized citizen of the United States. The applicant, through his conservator, seeks a replacement certificate of naturalization. The applicant is confined to a psychiatric institution.

The service center director denied the application upon finding that the applicant failed to submit two passport sized photographs of himself and a recent photographic identity document, as requested.

On appeal, the applicant, through his conservator, requests a duplicate certificate of naturalization. *See* Statement of Deputy Public Guardian/Conservator. The applicant's conservator explains that the applicant is unable to obtain a government identity document without proof of citizenship and that his documents have been lost. *Id.* The court order submitted on appeal demonstrates that the applicant is gravely disabled and unable to provide for his basic personal needs. *Conservatorship of the Person of [REDACTED], Order Approving Fifth Annual Account and Report for Renewal of Conservatorship*, Superior Court of California, Sacramento County (Feb. 23, 2009). In response to the service center director's request, the applicant's conservator previously explained that the applicant's documents were lost when he was homeless and hospitalized at various facilities prior to his conservatorship. *Letter from Applicant's Conservator*, dated April 8, 2009.

Section 343(a) of the Immigration and Nationality Act, 8 U.S.C. § 1454(a), provides, in relevant part:

If any certificate of naturalization . . . is lost, mutilated or destroyed, the citizen . . . may make application to the Attorney General [now the Secretary of Homeland Security] for a new certificate If the [Secretary] finds that the certificate [] is lost, mutilated, or destroyed, he shall issue to the applicant a new certificate

The regulations at 8 C.F.R. § 343a.1 provide for the issuance of a replacement certificate of naturalization in the case of loss, mutilation or destruction. The record in this case contains sufficient evidence to establish that the applicant is entitled to a replacement naturalization document and his conservator may request one on his behalf pursuant to the regulation at 8 C.F.R. § 292.1(a)(3). The appeal will therefore be sustained.

ORDER: The appeal is sustained. The matter is returned to the Nebraska Service Center for issuance of a replacement naturalization certificate.