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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

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[REDACTED]

FILE:

[REDACTED]

Office: NEBRASKA SERVICE CENTER

Date: FEB 08 2011

IN RE:

[REDACTED]

APPLICATION: Application for Replacement Naturalization Document under Section 343 of the
Immigration and Nationality Act, 8 U.S.C. § 1454.

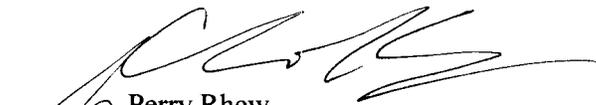
ON BEHALF OF APPLICANT:

[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.

Thank you,


Perry Rhew
Chief, Administrative Appeals Office

DISCUSSION: The Form N-565 application was denied by the Director, Nebraska Service Center, and is now before the Administrative Appeals Office (AAO) on appeal. The appeal will be sustained.

The applicant is a native of Mexico and a naturalized citizen of the United States. He seeks to have a lost Certificate of Naturalization replaced under section 343 of the Immigration and Nationality Act (the Act), 8 U.S.C. § 1454.

The director determined that the applicant failed to establish that he is a citizen of the United States or that any Certificate of Naturalization or Citizenship had been issued to him. The Application for Replacement Naturalization Document was denied accordingly. On appeal, the applicant contends through counsel that his U.S. passport serves as proof of his U.S. citizenship, and he reasserts his request for a replacement certificate of naturalization. *See Form I-290B Notice of Appeal*, filed Nov. 12, 2010.

Section 343 of the Act, 8 U.S.C. § 1454, provides the statutory authority relating to the replacement of a lost certificate of naturalization. The regulations regarding the replacement of lost certificates of naturalization are contained in 8 C.F.R. § 343a.1(a) and provide in pertinent part that, “[a] person whose . . . certificate of naturalization . . . has been lost, mutilated, or destroyed, shall apply on Form N-565 for a new paper in lieu thereof.”

Here, U.S. Citizenship and Immigration Services records show that the applicant was issued a Certificate of Naturalization on [REDACTED] (Certificate Number [REDACTED]). The applicant has established that his naturalization certificate was lost. Accordingly, the applicant is eligible for a replacement certificate under section 343 of the Act. The applicant’s appeal will be sustained and the case returned to the Nebraska Service Center for issuance of a replacement naturalization certificate.

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