



**U.S. Citizenship  
and Immigration  
Services**

**Non-Precedent Decision of the  
Administrative Appeals Office**

MATTER OF S-H-

DATE: AUG. 20, 2018

APPEAL OF NEBRASKA SERVICE CENTER DECISION

APPLICATION: FORM N-565, APPLICATION FOR REPLACEMENT  
NATURALIZATION/CITIZENSHIP DOCUMENT

The Applicant, a child who derived U.S. citizenship from a parent, seeks a replacement Certificate of Citizenship without a middle name.

The Director of the Nebraska Service Center denied the Applicant's request for a replacement certificate, finding that a correction was not justified because USCIS correctly included the middle name on his Certificate of Citizenship, and he has not shown that his name was legally changed after the certificate was issued.

On appeal, the Applicant explains that he is not seeking a new certificate based on a legal name change.<sup>1</sup> Rather, he asserts that he does not have a middle name and that USCIS therefore made an error by including it on his Certificate of Citizenship.

Upon *de novo* review, we will dismiss the appeal.

I. LAW

A person may request a replacement certificate if he or she can show that it does not conform to the supportable facts shown on the citizenship or naturalization application, or that U.S. Citizenship and Immigration Services (USCIS) committed a clerical error in preparing the certificate. Title 8, Code of Federal Regulations, section 338.5 (8 C.F.R. § 338.5); 12 USCIS Policy Manual K.4(A), <https://www.uscis.gov/policymanual>. A person may also request a new certificate if his or her name has been changed by order of any court of a competent jurisdiction, or by marriage after the Certificate of Citizenship was issued. Section 343(c) of the Act, 8 U.S.C. § 1454(c). In general, a Certificate of Citizenship includes an applicant's full legal name as that name appears on the applicant's foreign record of birth.<sup>2</sup> However, USCIS will issue a Certificate of Citizenship with a name other than that on the applicant's foreign record of birth in cases where the applicant, or if the applicant is under age

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<sup>1</sup> Accordingly, we do not address his eligibility for a new certificate on that basis in our decision.

<sup>2</sup> 12 USCIS Policy Manual, *supra*, at K.2(B).

18, the parent or legal guardian, has obtained a U.S. state court order evidencing a legal name change.<sup>3</sup>

## II. ANALYSIS

The issue before us is whether the Applicant has shown that the name printed on his Certificate of Citizenship is incorrect due to USCIS error, or that it does not conform to the supportable facts on his citizenship application.

The Applicant's name on his Certificate of Citizenship includes his first, middle, and last names. The Applicant avers, however, that he does not have a middle name, and that USCIS mistook his father's first name listed in his Armenian birth record for his middle name. He claims that including a middle name on his Certificate of Citizenship constitutes a USCIS error, and that he is therefore entitled to a replacement certificate. In support, the Applicant submits copies of documents which list only his first and last names, including his Form I-551, Permanent Resident Card, and a recently-issued U.S. passport.

We find that the Applicant has not demonstrated that the name printed on his Certificate of Citizenship is incorrect due to a USCIS error. We also find that the contents of the certificate are correct, as they conform to the facts shown on his citizenship application. The Applicant has therefore not established that he is eligible for a replacement certificate without the middle name.

As stated above, USCIS must include a person's full name from a foreign record of birth on a Certificate of Citizenship, unless that name has been legally changed by a U.S. state court order. Here, the Applicant's foreign birth record reflects that his full name consists of three parts: his first name, his father's first name, and his last name. Although the Applicant claims that his father's name is not part of his legal name, the evidence is insufficient to support his claim.

The Applicant was born in Armenia. According to the Armenian Family Code, every child has a right to have a first name, family name, and patronymic name.<sup>4</sup> A patronymic name is given to a child based on the father's name, pursuant to a procedure established in the Family Code. *Id.* The name of a child who is under 10 years of age may be changed only if the parents file a joint application requesting such a change.<sup>5</sup> The Applicant's birth record shows that he was given a patronymic (middle) name, and he does not claim that a U.S. court subsequently authorized a legal name change. We recognize that the Applicant's patronymic name has been omitted from his Armenian and U.S. passports, as well as from his permanent resident card; however, as stated above, absent evidence of a legal name change, USCIS must issue a Certificate of Citizenship reflecting a person's full legal name based on that person's foreign birth record. Consequently, we find no

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<sup>3</sup> *Id.*

<sup>4</sup> Article 45, The Law of the Republic of Armenia, Family Code, available at <http://www.parliament.am/legislation.php?sel=show&ID=2124&lang=eng>

<sup>5</sup> Article 46, The Law of the Republic of Armenia, Family Code, *supra*.

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USCIS error in issuing a Certificate of Citizenship with his full name, as recorded at the time of his birth in Armenia.

Nor has the Applicant shown that the name printed on his certificate does not conform to the supportable facts on his citizenship application and related forms. The record shows that although the Applicant did not initially list his patronymic name on the Form N-600, Application for Certificate of Citizenship, a USCIS officer added it during an interview with the Applicant's mother. The mother signed the form at the conclusion of the interview confirming that she was familiar with the contents of the application, and that all information therein, including the Applicant's name was correct. She also executed a sworn statement on behalf of the Applicant, who was 13 years old at the time, in which she attested that his true, full, and complete name consisted of a first, middle, and last name. Lastly, the mother also included the Applicant's middle name when she signed the Form G-1222, Oath of Allegiance, on his behalf and when she confirmed on the same form that he received the certificate. Thus, the record does not show that the name printed on the Applicant's Certificate of Citizenship does not conform to the supportable facts on his citizenship application, or that it is different than the name his mother claimed as his true and complete legal name in citizenship proceedings.

The evidence of record demonstrates that (1) the contents of the Applicant's Certificate of Citizenship conform to the information on the citizenship application, and (2) USCIS did not make a clerical error in preparing the certificate. Accordingly, the Applicant has not established eligibility for a new Certificate of Citizenship with a different name and his application will remain denied.

**ORDER:** The appeal is dismissed.

Cite as *Matter of S-H-*, ID# 1714038 (AAO Aug. 20, 2018)