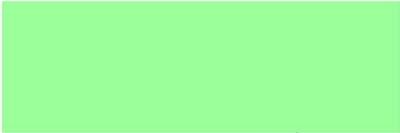




U.S. Citizenship
and Immigration
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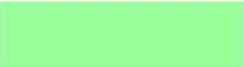


Date: **SEP 25 2013**

Office: NEW YORK, NY

FILE: 

IN RE:

Respondent: 

APPLICATION:

Cancellation of Certificate of Naturalization under Section 342 of the Immigration and Nationality Act; 8 U.S.C. § 1453.

ON BEHALF OF RESPONDENT:



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,

Ron Rosenberg
Chief, Administrative Appeals Office

DISCUSSION: The respondent's certificate of naturalization was cancelled by the District Director, New York, New York, and the director's decision came before the Administrative Appeals Office (AAO) on appeal. The appeal was dismissed. The applicant has filed a motion to reconsider the AAO's decision. The motion will be dismissed.

The regulation, at 8 C.F.R. § 103.5(a)(3), provides that a "motion to reconsider must state the reasons for reconsideration and be supported by any pertinent precedent decisions to establish that the decision was based on an incorrect application of law or Service policy."

In his motion, the respondent maintains that the AAO erred in finding that there was any evidence of fraud or illegality on her part such that cancellation of her certificate would be warranted. *See* Brief in Support of Motion. The claims in the respondent's motion were previously raised, and dismissed on appeal. The respondent's certificate of naturalization was illegally procured by [REDACTED] and not provided to the respondent after the completion of a lawful naturalization process. It was therefore illegally obtained and properly cancelled. The respondent's motion does not raise any new arguments nor is it supported by any precedent decisions to establish that the AAO's decision was based on an incorrect application of law or Service policy. The respondent's motion must therefore be dismissed.

ORDER: The motion is dismissed.