



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

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

In Re: 25463047

Date: APR. 13, 2023

Appeal of New York, New York Field Office Decision

Form N-600, Application for Certificate of Citizenship

The Applicant seeks a Certificate of Citizenship under Immigration and Nationality Act (the Act) section 320, 8 U.S.C. § 1431. The Director of the New York, New York Field Office denied the application, concluding that the Applicant did not submit required evidence. The matter is now before us on appeal.

The Applicant bears the burden of proof to demonstrate eligibility by a preponderance of the evidence. *Matter of Chawathe*, 25 I&N Dec. 369, 375-76 (AAO 2010). We review the questions in this matter de novo. *Matter of Christo's, Inc.*, 26 I&N Dec. 537, 537 n.2 (AAO 2015). Upon de novo review, we will withdraw the Director's decision and remand the matter for entry of a new decision consistent with the following analysis.

The Applicant is seeking a Certificate of Citizenship indicating that he derived U.S. citizenship from his U.S. citizen parents. The Applicant was born in Haiti in  1997 to married foreign national parents. He was admitted to the United States as a lawful permanent resident in October 2002. The Applicant's mother became a citizen through naturalization in October 2008, and his father became a citizen through naturalization in February 2009.

During adjudication of the Application for Certificate of Citizenship, the Director issued a notice of continuance on June 2, 2020, requesting evidence of the Applicant's birth certificate; his parents' marriage certificate and proof of any divorces; evidence of his parents' U.S. citizenship; and proof of residence in the United States for the Applicant and his parents. The Director subsequently denied the Application for Certificate of Citizenship, stating that the Applicant did not respond to the notice of continuance and had failed to submit the required evidence.

On appeal, the Applicant states that he did submit the requested evidence and that he resubmits it on appeal. Our review of the record reflects that the Applicant did timely respond to the notice of continuance on July 20, 2020, at the address specified in the notice. His response included his birth certificate; the U.S. passports and Certificates of Naturalization for both of his parents; his parents' marriage certificate; tax and employment records for his parents; housing documents listing the Applicant and his parents as residents at their address; and a letter from the Applicant's doctor. On appeal, the Applicant resubmits this evidence and also provides his school records. The record also

reflects that the U.S. Department of State issued the Applicant a U.S. passport in March 2014, which remains valid. Accordingly, we will remand the matter to the Director to consider the previously unreviewed evidence in the record, along with the newly submitted evidence, and evaluate the Applicant's citizenship claim anew.

**ORDER:** The Director's decision is withdrawn. The matter is remanded for the entry of a new decision consistent with the foregoing analysis.