



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

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

In Re: 30164297

Date: DEC. 11, 2023

Motion on Administrative Appeals Office Decision

Form N-600, Application for a Certificate of Citizenship

The Applicant seeks a Certificate of Citizenship to reflect that he derived citizenship from his naturalized U.S. citizen father under former section 321 of the Immigration and Nationality Act (the Act), 8 U.S.C. § 1432.

The Director of the Jacksonville, Florida Field Office determined that the Applicant did not establish derivative citizenship and denied his Form N-600, Application for a Certificate of Citizenship, and a subsequent motion to reopen and reconsider. We dismissed the appeal, concluding that the Applicant did not provide evidence to support his claim that his parents were legally separated and his father had legal custody, as required to establish derivative citizenship under former section 321(a)(3) of the Act, and he filed the instant motion to reconsider.

We subsequently found that the Applicant did provide his parents' divorce decree and reopened the proceedings on Service motion pursuant to the regulation at 8 C.F.R. § 103.5(a)(5) to correct our error. Nevertheless, after de novo review of the Applicant's citizenship claim we determined that the record remained insufficient to establish derivative citizenship and dismissed his appeal.

Because we have issued a new decision on the Applicant's citizenship claim in the reopened proceedings, the instant motion to reconsider is moot.

ORDER: The motion to reconsider is dismissed.