



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

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

In Re: 22681077

Date: SEPT. 27, 2022

Appeal of Nebraska Service Center Decision

Form N-565, Application to Replace a Certificate of Citizenship or Naturalization

The Applicant, who was born in seeks a new Certificate of Citizenship under section 343(a) of the Immigration and Nationality Act (the Act), 8 U.S.C. § 1454(a), indicating that her original certificate was stolen.

The Director of the Nebraska Service Center denied the Form N-565, concluding that the Applicant was ineligible for a new Certificate of Citizenship because she did not submit a copy of her Certificate of Citizenship or Naturalization, and a thorough search of U.S. Citizenship and Immigration Services (USCIS) and former Immigration and Naturalization Services (INS) records did not reveal that she was previously issued a Certificate of Citizenship or Certificate of Naturalization.

On appeal, the Applicant submits additional evidence, and asserts that she has demonstrated that she and her father were naturalized at the U.S. District Court in Omaha, Nebraska in February 1986, and the Director's decision therefore should be reversed.

In these proceedings, it is the Applicant's burden to establish eligibility for the requested benefit. 8 C.F.R. 103.2(b)(1). Upon *de novo* review, we will dismiss the appeal.

Applicants may submit a Form N-565 to USCIS to request, in pertinent part, a replacement of their original Certificate of Naturalization if that certificate has been lost, mutilated, or destroyed. *See* section 343 of the Act and 8 C.F.R. § 343a.1(a).

In support of the instant Form N-565 the Applicant initially submitted a police report of a burglary that had taken place at her residence. The Director subsequently issued a request for evidence, asking the Applicant to provide additional evidence of her U.S. citizenship, such as a copy of the original certificate or, if unavailable, other documents to support her claim of U.S. citizenship, including date, location, and the circumstances under which the Applicant became a U.S. citizen; her parents' naturalization or citizenship documents; a certified copy of the court naturalization record; or a certified copy of her naturalization record from the National Archives. The Director also advised the Applicant how she could contact the National Archives to request this record.

In response, the Applicant submitted a copy of her father's Certificate of Naturalization, immigration documents indicating that she was admitted to the United States with her parents as a refugee in 1979, and a copy of her [] 1986 marriage certificate. As stated, the Director denied the application, in part because a search of INS and USCIS records based on the information the Applicant provided did not produce evidence of her claimed naturalization.

The Applicant now submits a letter from a U.S. Senator from Nebraska dated on April 1, 1986, congratulating her on becoming a U.S. citizen on February 20, 1986. Although the letter indicates that the Applicant may have been included on a list of persons naturalized as U.S. citizens forwarded to the Senator's office, it is not sufficient as evidence of her eligibility for a replacement Certificate of Naturalization because it does not contain her alien registration number, biographic data, specific information about the date and place where she was naturalized, and the certificate number.

As stated, the Applicant has the burden of proof to establish eligibility for replacement certificate. The Applicant has not met this burden because she has not provided sufficient evidence of her claimed naturalization. We will therefore dismiss her appeal.

The dismissal is without prejudice to filing another Form N-565 once the Applicant obtains a certified record of naturalization from the court where she claims she was naturalized or from the National Archives.

ORDER: The appeal is dismissed.