



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

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

In Re: 21362201

Date: APR. 19, 2022

Appeal of Oakland Park, Florida Field Office Decision

Form N-600, Application for Certificate of Citizenship

The Applicant seeks a Certificate of Citizenship to reflect that he acquired U.S. citizenship from and was legitimated by his U.S. citizen father under sections 301(g) and 309(a) of the Immigration and Nationality Act (the Act), 8 U.S.C. §§ 1401(g), 1409(a).

The Director of the Oakland Park, Florida Field Office denied the Form N-600, stating that the “application is considered abandoned and subsequently denied” because the Applicant had not provided two passport-style photographs of specific size in response to a request for evidence (RFE). his “

With respect to the request for photographs, the regulation at 8 C.F.R. §103.2(b)(13)(i) provides that if “requested material necessary to the processing and approval of a case, such as photographs, are not submitted by the required date, the application may be summarily denied as abandoned.”

On appeal, the Applicant’s father claims, on behalf of the Applicant,¹ that he had obtained and sent the requested photographs in response to the RFE, and attaches additional evidence in support of the appeal. He attaches an October 8, 2020 receipt from a same-day pickup service. The receipt is made out to the Applicant’s father and appears to be for one passport photo. It is not clear from this store receipt whether or not the passport photo was taken in the United States or Peru, where the Applicant resides, and whether it was of the Applicant or his father. Regardless, the Applicant’s father did not include additional evidence, such as U.S. postal service tracking records, to show that he had timely filed two passport photos of the Applicant with U.S. Citizenship and Immigration Services (USCIS) in response to the RFE. Consequently, the Applicant has not shown on appeal that he timely responded to the Director’s RFE with the requested evidence; therefore, the Director properly denied the Form N-600 for abandonment. 8 C.F.R. § 103.2(b)(13)(i).

A case denied based on abandonment may not be appealed to our office, and such an appeal must consequently be rejected. 8 C.F.R. § 103.2(b)(15). If the time for an appeal has expired, USCIS will reject a subsequent application submitted by the same individual; however, an applicant for a

¹ The Applicant was born in 2018, and was only two years old when he filed the appeal.

certificate of citizenship may file a motion to reopen or reconsider the Director's decision, which must meet motion requirements at 8 C.F.R. § 103.5.

ORDER: The appeal is rejected.