



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

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

In Re: 22415193

Date: SEP. 12, 2022

Appeal of Los Angeles County Field Office Decision

Form N-600, Application for Certificate of Citizenship

The Applicant seeks a Certificate of Citizenship to reflect that he derived U.S. citizenship from his father under section 320 of the Immigration and Nationality Act (the Act), 8 U.S.C. § 1431.

The Director of the Los Angeles County Field Office denied the Form N-600, Application for Certificate of Citizenship, concluding that the Applicant did not establish he automatically derived citizenship from his naturalized U.S. citizen father pursuant to section 320 of the Act because he was not residing in the United States in his legal and physical custody during the statutory period prior to his eighteenth birthday, as required.

On appeal, the Applicant claims that the Director's decision was erroneous and submits additional evidence to demonstrate that he was residing in the legal and physical custody of his U.S. citizen father in the United States prior to his eighteenth birthday.

The record reflects that, prior to the Director's January 2022 decision,<sup>1</sup> the U.S. Department of State issued the Applicant a U.S. passport in May 2019, which remains valid. Accordingly, we will remand the matter to the Director to consider the Applicant's citizenship claim anew.

**ORDER:** The decision of the Director is withdrawn.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

---

<sup>1</sup> We note that the record does not include this evidence prior to the filing of the instant appeal.