



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

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

In Re: 23495383

Date: JAN. 24, 2023

Appeal of Nebraska Service Center Decision

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

The Applicant seeks a replacement Certificate of Naturalization with a different marital status. 8 C.F.R. § 338.5.

The Director of the Nebraska Service Center denied the application, concluding that the Applicant had not submitted his original Certificate of Naturalization, as required. The matter is now before us on appeal. 8 C.F.R. § 103.3.

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 dismiss the appeal.

In the record before the Director, the Applicant claimed that he was not married when he filed the Form N-400, Application for Naturalization, but married prior to his naturalization. Because his Certificate of Naturalization reflects that the Applicant was single when he naturalized, he sought to have his marital status amended on a replacement Certificate of Naturalization; however, he did not provide an original Certificate of Naturalization with his Form N-565 in accordance with the form instructions. The Director denied the request for a replacement certificate after concluding that the Applicant had not provided his original Certificate of Naturalization in response to a specific request for evidence. Failure to submit a requested original document may result in denial or an underlying benefit request. 8 C.F.R. § 103.2(b)(5).

On appeal, the Applicant states that he is unable to provide his original Certificate of Naturalization because he had submitted it to the U.S. Postal Service (USPS) when he applied for a passport and is currently still with USPS. Consequently, the record before us does not show that the Applicant submitted an original, valid Certificate of Naturalization when he sought his replacement certificate. For this reason, the Form N-565 remains denied.

**ORDER:** The appeal is dismissed.