



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

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

In Re: 26638198

Date: APR. 25, 2023

Appeal of Nebraska Service Center Decision

Form N-565, Application for Replacement Naturalization/Citizenship Document

The Applicant is a naturalized U.S. citizen who seeks a replacement Certificate of Naturalization pursuant to section 343 of the Immigration and Nationality Act (the Act), 8 U.S.C. § 1454, because her original certificate is mutilated.¹ Section 343(a) of the Act provides in pertinent part that if a certificate has been mutilated, it must be surrendered to the Secretary of Homeland Security before an applicant may receive such a new certificate.²

The Director of the Nebraska Service Center requested the Applicant to submit her original Certificate of Naturalization, explaining that it was required for a replacement certificate to be issued. Because the Applicant did not submit her original Certificate of Naturalization, as requested, the Director denied the Form N-565. The matter is now before us on appeal.

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.

The Applicant states she submitted her original mutilated certificate when she filed her Form N-565, and in case she did not, she looked for it at home and was not able to find it. She reiterates that she needs a replacement certificate as evidence of her U.S. citizenship to obtain social security benefits and state identification documents.

We acknowledge the Applicant's statements on appeal. However, as she still does not submit her original Certificate of Naturalization and there is nothing in the record to indicate that it was included

¹ Specifically, the Applicant indicated that she laminated her original certificate and, as such it was not accepted as proof of citizenship for the purpose of obtaining state and federal benefits. The Applicant also submitted evidence that of a change in her marital status.

² See also *Instructions for Form N-565*, page 4, <https://www.uscis.gov/n-565> (providing that individuals applying for replacement of a mutilated document must attach the original mutilated document to the application).

with her Form N-565 filing, she has not overcome the sole basis for the denial of her application. The Applicant's Form N-565 will therefore remain denied.³

ORDER: The appeal is dismissed.

³ We note that if the Applicant can establish that her original certificate was lost she may seek a replacement of a lost certificate. *See Instructions for Form N-565* (explaining what evidence is required to establish eligibility for a replacement certificate on that basis).