

November 7, 1985

DEPARTMENT OF STATE

BOARD OF APPELLATE REVIEW

IN THE MATTER OF: J [REDACTED] M [REDACTED] [REDACTED] On Motion for
Reconsideration ,

The Board of Appellate Review on June 21, 1985 reversed an administrative decision made by the Department of State that J [REDACTED] M [REDACTED] expatriated herself on March 7, 1982 upon application of section 349(a)(1) of the Immigration and Nationality Act by obtaining naturalization in Canada upon her own application. 1/

On July 31, 1985 the Department of State moved for reconsideration of the Board's decision.


1/ Section 349(a)(1) of the Immigration and Nationality Act, 8 U.S.C. 1481(a)(1), reads:

Sec. 349. (a) From and after the effective date of this Act a person who is a national of the United States whether by birth or naturalization, shall lose his nationality by --

(1) obtaining naturalization in a foreign state upon his own application, . . .

- 2 -

The grounds of the Department's [redacted] or reconsideration of the Board's decision in *Mrs. M* [redacted] case are incorporated by reference in the Department's [redacted] consideration filed in the case of her husband, *J* [redacted] *A* [redacted] *M* [redacted]. For the reasons stated in our ruling of today's date on the motion in *Mr. M* [redacted] case, the Board also grants the motion for reconsideration of its decision in the case of *Mrs. Mollenhauer*.


Alan G. James, Chairman


J. Peter A. Bernhardt, Member


Warren E. Hewitt, Member