

DEPARTMENT OF STATE

BOARD OF APPELLATE REVIEW

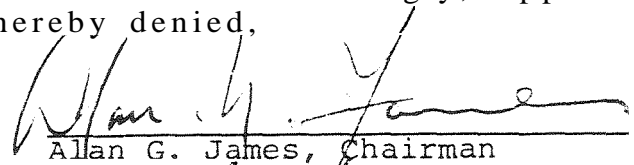
IN THE MATTER OF: M [REDACTED] S [REDACTED] M [REDACTED] d [REDACTED] M [REDACTED] -
On Motion for Reconsideration

The Board of Appellate Review on November 26, 1985 affirmed the administrative determination of the Department of State dated September 27, 1983 that appellant expatriated herself on September 23, 1974 under the provisions of section 349(a)(2) of the Immigration and Nationality Act by making a formal declaration of allegiance to Mexico.

On January 10, 1986 Mrs. M [REDACTED] filed a motion for reconsideration of the Board's decision, as provided by section 7.9 of Title 22, Code of Federal Regulations. 1/

The Department of State filed a memorandum in opposition to the motion on March 3, 1986.

Upon examination of appellant's motion for reconsideration, the Board is of the view that the motion fails to disclose any facts or points of law that the Board may have overlooked or misapprehended in reaching its decision, or any new matters that would warrant reconsideration of that decision. Accordingly, appellant's motion for reconsideration is hereby denied,


Allan G. James, Chairman


James G. Sampas, Member


Frederick Smith Jr.

1/ Section 7.9 of Title 22, Code of Federal Regulations, 22 CFR 7.9 provides as follows:

Sec. 7.9 Motion for Reconsideration.

The Board may entertain a motion for reconsideration of a Board decision, if filed by either party. The motion shall state with particularity the grounds for the motion, including any facts or points of law which the filing party claims the Board has overlooked or misapprehended, and shall be filed within 30 days from the date of receipt of a copy of the decision of the Board by the party filing the motion. Oral argument on the motion shall not be permitted. However, the party in opposition to the motion will be given opportunity to file a memorandum in opposition to the motion within 30 days of the date the Board forwards a copy of the motion to the party in opposition. If the motion to reconsider is granted, the Board shall review the record, and upon such further reconsideration, shall affirm, modify, or reverse the original decision of the Board in the case.