

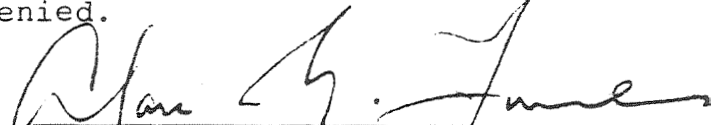
BOARD OF APPELLATE REVIEW

IN THE MATTER OF T [REDACTED] S [REDACTED] -- On Motion for Reconsideration

The Board of Appellate Review on January 23, 1986 affirmed the Department of State's administrative determination that [REDACTED] [REDACTED] expatriated himself on September 17, 1984 under the provisions of section 349(a)(5) of the Immigration and Nationality Act, 8 U.S.C. 1481(a)(5), by making a formal renunciation of his United States nationality before a consular officer of the United States at Vienna, Austria.

[REDACTED] filed a motion for reconsideration of the Board's decision on February 10, 1986, as provided by federal regulations. 1, The Department of State did not file a motion in opposition.

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.


Alan G. James, Chairman


J. Peter A. Bernhardt, Member


Frederick Smith, Jr., Member

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 th 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.