

July 26, 1989

## DEPARTMENT OF STATE

## BOARD OF APPELLATE REVIEW

IN THE MATTER OF: W [REDACTED] C [REDACTED] L [REDACTED] - On Motion for  
Reconsideration

In a decision rendered April 18, 1989, the Board of Appellate Review concluded that it lacked jurisdiction to consider an appeal taken by W [REDACTED] C [REDACTED] L [REDACTED] on April 29, 1988 from an administrative determination made by the Department of State on February 10, 1983 that he expatriated himself by obtaining naturalization in Canada upon his own application. 1/

The Board determined that the appeal was time-barred because it was not filed within the limitation prescribed by the applicable regulations and that appellant had not shown good cause why the Board should enlarge the time for filing his appeal. 2/

On June 15, 1989 Linde filed a motion pursuant to 22 CFR 7.10 for reconsideration of the Board's decision.

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


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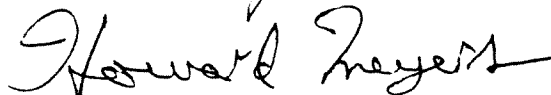
1/ An officer of the Consulate General at Vancouver executed a certificate of loss of nationality in appellant's name on October 14, 1982. Therein the officer declared that appellant expatriated himself under the provisions of section 349(a)(1) of the Immigration and Nationality Act, 8 U.S.C. 1481(a)(1), by obtaining naturalization in Canada upon his own application. The State Department approved the certificate on February 10, 1983.

2/ 22 CFR 7.5(b)(1) prescribes that an appeal from an adverse determination of nationality shall be made within one year after approval by the State Department of the certificate of loss of nationality. 22 CFR 7.5(a) prescribes that an appeal not filed within the time shall be dismissed unless the Board determines for good cause shown that the appeal could not have been filed within the allowable time.

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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

  
Howard Meyers, Member

  
George Taft, Member