

DEPARTMENT OF STATE  
BOARD OF APPELLATE REVIEW

IN THE MATTER OF: P [REDACTED] N [REDACTED] G [REDACTED]

On Motion for Reconsideration

In a decision rendered April 7, 1989, the Board of Appellate Review concluded that it lacked jurisdiction to consider an appeal taken by [REDACTED] [REDACTED] [REDACTED] on October 24, 1988 from an administrative determination made by the Department of State on April 16, 1970. 1/

The Board determined that the appeal was not entered within the limitation prescribed by the regulations in effect in 1970. 2/ On June 15, 1989 appellant requested that the Board reconsider its decision.

Upon examination of appellant's motion for reconsideration, we are of the view that the motion fails to

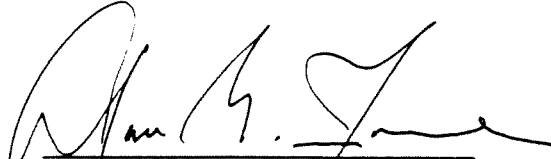
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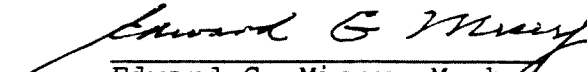
1/ An officer of the United States Embassy at Tel Aviv executed a certificate of loss of nationality on March 27, 1970. Therein the officer declared that appellant expatriated himself on November 11, 1967 under the provisions of section 349(a)(3) of the Immigration and Nationality Act by entering and serving in the armed forces of Israel. The Department approved the certificate on April 16, 1970.

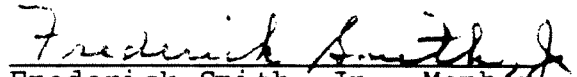
2/ Section 50.60 of Title 22, Code of Federal Regulations (1967-1979), 22 CFR 50.60, read as follows:

A person who contends that the Department's administrative holding of loss of nationality or expatriation in his case is contrary to law of fact shall be entitled, upon written request made within a reasonable time after receipt of notice of such holding, to appeal to the Board of Appellate Review.

disclose any facts or points of law that the Board may have overlooked or misapprehended in reaching its decision of April 7, 1989. Accordingly, appellant's motion for reconsideration is denied.

  
Alan G. James, Chairman

  
Edward G. Misey, Member

  
Frederick Smith, Jr., Member

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