

**Executive Office for Immigration Review, Justice**

**§ 1337.10**

shown and the best interests of the applicant in making a decision. If it is determined that the applicant shall be permitted to withdraw his or her name from the court ceremony, the Service shall give written notice to the court of the applicant's withdrawal, and the applicant shall be scheduled for the next available oath ceremony, conducted by an Immigration Judge or the Service, as if he or she had never elected the court ceremony.

[58 FR 49915, Sept. 24, 1993, as amended at 60 FR 37804, July 24, 1995]

**§ 1337.9 Effective date of naturalization.**

(a) An applicant for naturalization shall be deemed a citizen of the United States as of the date on which the applicant takes the prescribed oath of allegiance, administered either by the

Service or an Immigration Judge in an administrative ceremony or in a ceremony conducted by an appropriate court under § 1337.8 of 8 CFR chapter I.

(b) [Reserved]

[56 FR 50500, Oct. 7, 1991, as amended at 60 FR 37804, July 24, 1995; 66 FR 32147, June 13, 2001]

**§ 1337.10 Failure to appear for oath administration ceremony.**

An applicant who fails to appear without good cause for more than one oath administration ceremony for which he or she was duly notified shall be presumed to have abandoned his or her intent to be naturalized. Such presumption shall be regarded as the receipt of derogatory information, and the procedures contained in § 335.5 of 8 CFR chapter I shall be followed.

[58 FR 49916, Sept. 24, 1993]