

United States Court of Appeals
FOR THE EIGHTH CIRCUIT

No. 02-3219

Virasone Siariya,

Appellant,

v.

Immigration and Naturalization
Service,

Appellee.

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* Appeal from the United States
* District Court for the
* District of Minnesota.
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* [UNPUBLISHED]
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Submitted: December 18, 2002

Filed: December 23, 2002

Before WOLLMAN, MORRIS SHEPPARD ARNOLD, and MELLOY, Circuit
Judges.

PER CURIAM.

Virasone Siariya appeals the district court's¹ dismissal without prejudice of his petition for review of the United States Immigration and Naturalization Service's denial of his application for naturalization. Mr. Siariya filed his petition in March 2002, but never effected service on either the United States Attorney or the Attorney General of the United States. See Fed. R. Civ. P. 4(i). After reviewing the record, we

¹The Honorable David S. Doty, United States District Judge for the District of Minnesota.

conclude that the district court did not abuse its discretion in dismissing his petition. See Fed. R. Civ. P. 4(m); Edwards v. Edwards, 754 F.2d 298, 299 (8th Cir. 1985) (per curiam).

Accordingly, we affirm. See 8th Cir. R. 47B. We express no opinion as to the merits of Mr. Siariya's petition, and we note dismissal without prejudice does not bar renewal of his application.

A true copy.

Attest:

CLERK, U.S. COURT OF APPEALS, EIGHTH CIRCUIT.