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U.S. Department of Homeland Security
20 Mass, Rm. A3042, 425 I Street, N.W.
Washington, DC 20536



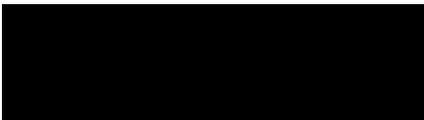
**U.S. Citizenship
and Immigration
Services**



File: WAC 02 032 52659 Office: CALIFORNIA SERVICE CENTER

Date: APR 07 2004

IN RE: Petitioner:
Beneficiary:



Petition: Immigrant petition for Alien Worker as a Skilled Worker or Professional pursuant to section 203(b)(3) of the Immigration and Nationality Act, 8 U.S.C. § 1153(b)(3)

ON BEHALF OF PETITIONER: SELF-REPRESENTED

INSTRUCTIONS:

This is the decision in your case. All documents have been returned to the office that originally decided your case. Any further inquiry must be made to that office.

A handwritten signature in black ink, appearing to read "R. P. Wiemann".

Robert P. Wiemann, Director
Administrative Appeals Office

A handwritten mark or signature, possibly a stylized "F" or "Z", located below the printed name.

DISCUSSION: The preference visa petition was denied by the Director, California Service Center, and is now before the Administrative Appeals Office on appeal. The appeal will be rejected.

The director denied the petition pursuant to 8 C.F.R. § 103.2(b)(13) because the petitioner failed to respond to a request for additional evidence and the director found the petition to be abandoned.

8 C.F.R. § 103.2(b)(15) states, in pertinent part: "A denial due to abandonment may not be appealed, but an applicant or petitioner may file a motion to reopen under § 103.5."

No appeal of the denial in this matter is permitted and the ostensible appeal must be rejected.

ORDER: The appeal is rejected.