

identifying data deleted to
prevent disclosure of unwarranted
invasion of personal privacy

U.S. Department of Homeland Security
20 Mass Ave., N.W., Rm. 3000
Washington, DC 20529



U.S. Citizenship
and Immigration
Services

B6

PUBLIC COPY



FILE: [REDACTED]
EAC-05-015-53229

Office: VERMONT SERVICE CENTER

Date: DEC 26 2006

IN RE: Petitioner: [REDACTED]
Beneficiary: [REDACTED]

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:



INSTRUCTIONS:

This is the decision of the Administrative Appeals Office in your case.

DISCUSSION: The Director, Vermont Service Center, denied the immigrant visa petition. The matter is before the Administrative Appeals Office on Appeal. On November 30, 2006, counsel sent a letter to the Citizenship & Immigration Services requesting that the pending appeal for the above referenced petition be withdrawn as the petitioner had re-filed the I-140 petition, and the re-filed petition was pending before the Nebraska Service Center. The withdrawal may not be retracted. *See* 8 C.F.R. § 103.2(b)(6).

ORDER: The appeal is dismissed based upon its withdrawal. The record of proceeding will be forwarded to the Nebraska Service Center for consolidation with the pending application.

Robert P. Wiemann, Chief
Administrative Appeals Office