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U.S. Citizenship
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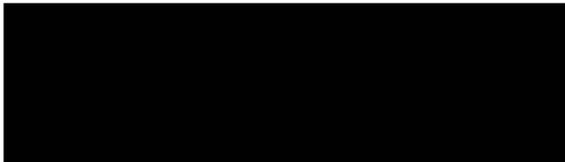


File: [Redacted] Office: VERMONT SERVICE CENTER Date: SEP 07 2006
EAC-05-055-50299

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

Robert P. Wiemann, Chief
Administrative Appeals Office

DISCUSSION: The Acting Director (Director), Vermont Service Center, denied the immigrant visa petition. The matter is now before the Administrative Appeals Office (AAO) on appeal. The appeal will be withdrawn.

The petitioner seeks to classify the beneficiary pursuant to section 203(b)(3) of the Immigration and Nationality Act (the Act), 8 U.S.C. § 1153(b)(3) as a skilled worker. On February 9, 2005, the director determined that the petitioner failed to establish its ability to pay the proffered wage and denied the petition accordingly.

On March 10, 2005, counsel filed a timely appeal on behalf of the petitioner. Subsequently, on May 2, 2005, the petitioner sent a letter to the Service Center to advise that the beneficiary was no longer employed by the petitioner, and therefore, the petitioner is “no longer in a position to sponsor his request for citizenship.”

As the petitioner is no longer sponsoring the beneficiary, the appeal will be deemed to be withdrawn. The withdrawal may not be retracted. 8 C.F.R. § 103.2(b)(6).

ORDER: The appeal is dismissed based on its withdrawal by the petitioner.