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

Bk

[Redacted]

File: [Redacted] Office: CALIFORNIA SERVICE CENTER Date: **AUG 23 2007**
WAC-01-282-58746

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:

[Redacted]

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 Director, California Service Center ("director"), approved the immigrant visa petition. The director subsequently revoked the approval on September 12, 2005. The petitioner filed an appeal, which the director treated as motion to reopen and reconsider. The director granted the motion and reopened the petition. On February 22, 2006, the director issued a Notice of Revocation. The petitioner appealed to the Administrative Appeals Office ("AAO"). The appeal will be rejected as untimely filed.

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. Based on the results of an overseas investigation of the beneficiary's experience, the director revoked the petition's approval. The petitioner appealed.

In order to properly appeal a Notice of Revocation, the regulation at 8 C.F.R. § 205.2 provides that the affected party must appeal within 15 days after service of the Notice of Revocation. If the decision was mailed, the appeal must be filed within 18 days. *See* 8 C.F.R. § 103.5a(b).

The director issued the Notice of Revocation on February 22, 2006. The petitioner filed its appeal on March 24, 2006, or 30 days after the Notice was issued.

As stated in 8 C.F.R. § 103.3(a)(2)(B), an appeal that does not meet applicable requirements shall be dismissed. As the appeal was untimely filed, the appeal must be rejected.

ORDER: The appeal is rejected as untimely filed.