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



U.S. Citizenship and Immigration Services

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FILE: [Redacted] WAC 97 185 52736

Office: CALIFORNIA SERVICE CENTER

Date: APR 25 2008

IN RE: Petitioner: [Redacted]

PETITION: Immigrant Petition by Alien Entrepreneur Pursuant to Section 203(b)(5) of the Immigration and Nationality Act, 8 U.S.C. § 1153(b)(5)

ON BEHALF OF PETITIONER:

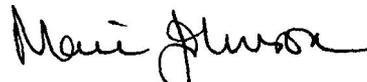


INSTRUCTIONS:

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.

DISCUSSION: The immigrant visa petition was denied by the Director, California Service Center. The matter is now before the Administrative Appeals Office on appeal. On March 17, 2008, counsel requested that the petition before us on certification be withdrawn. While counsel requests that the petition be withdrawn "without prejudicing the option to seek future appeal," counsel cites no provision that would allow the petitioner to pursue a withdrawn petition. A withdrawal may not be retracted and may not be refused. 8 C.F.R. § 103.2(b)(6); *Matter of Cintron*, 16 I&N Dec. 9 (BIA 1976).

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


Robert P. Wiemann, Chief
Administrative Appeals Office