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U.S. Citizenship
and Immigration
Services

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CF

[Redacted]

FILE:

[Redacted]

Office: MIAMI

Date: JUN 14 2005

IN RE: Petitioner:
Beneficiary

[Redacted]

PETITION: Petition for Special Immigrant Juvenile Pursuant to Section 203(b)(4) of the Immigration and Nationality Act, 8 U.S.C. § 1153(b)(4), as described at Section 101(a)(27)(J) of the Act, 8 U.S.C. § 1101(a)(27)(J)

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

Robert P. Wiemann, Director
Administrative Appeals Office

DISCUSSION: The District Director, Miami revoked the special immigrant visa petition. The matter is now before the Administrative Appeals Office (AAO) on appeal. The appeal will be dismissed.

The beneficiary is a twenty-year-old native and citizen of Haiti who seeks classification as a special immigrant juvenile pursuant to section 203(b)(4) of the Immigration and Nationality Act (the Act), 8 U.S.C. § 1153(b)(4). The district director issued a decision on August 17, 2004, notifying the beneficiary of the automatic revocation of the petition.

On appeal, the beneficiary's counsel asserts that the automatic revocation of the petition resulted from a new interpretation of the statute and regulation governing Special Immigrant Juvenile (SIJ) petition and that such interpretation was instituted without prior notice. However, the regulations governing automatic revocations do not provide for an appeal of such decisions, as do the regulations governing revocations based on notice. *See* 8 C.F.R. § 205.1; *compare* 8 C.F.R. § 205.2

Consequently, the AAO lacks jurisdiction to entertain counsel's appeal from the decision of the district director and must reject the appeal.

ORDER: The appeal is rejected.