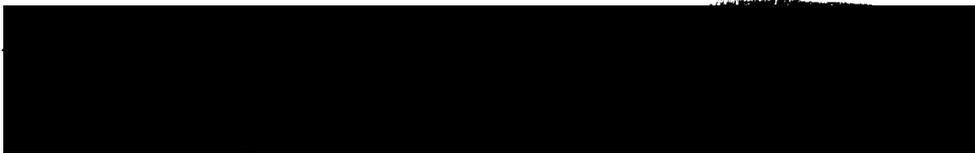


D2



U.S. Citizenship
and Immigration
Services



FILE: LIN 01 046 50251 Office: NEBRASKA SERVICE CENTER Date: Jul 27 2010

IN RE: Petitioner: [Redacted]
Beneficiary: [Redacted]

PETITION: Petition for a Nonimmigrant Worker Pursuant to Section 101(a)(15)(H)(i)(b) of the
Immigration and Nationality Act, 8 U.S.C. § 1101(a)(15)(H)(i)(b)

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.

Mari Johnson
to Robert P. Wiemann, Director
Administrative Appeals Office

Identifying data deleted to
prevent clearly unwarranted
invasion of personal privacy

DISCUSSION: The service center director denied the nonimmigrant visa petition by decision dated May 11, 2001. The matter was then appealed to the Administrative Appeals Office (AAO). By decision dated December 27, 2002, the AAO withdrew the director's decision and found that the proffered position qualified as a specialty occupation. The matter was then remanded to the director to determine whether the beneficiary was qualified to perform the duties of a specialty occupation. Pursuant to the AAO's determination, the director requested additional evidence from the petitioner. The petitioner did not respond to the director's request. The director then denied the I-129 petition on the ground of abandonment, and certified the matter to the AAO for review. 8 C.F.R. § 103.2(b)(13). As there is no appeal from a denial of a petition on the ground of abandonment, the petitioner's appeal must be rejected. 8 C.F.R. § 103.2(b)(15).

ORDER: The appeal is rejected.