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FILE: SRC 07 095 52730 Office: TEXAS SERVICE CENTER

Date: **NOV 17 2009**

IN RE: Petitioner:  
Beneficiary:

PETITION: Immigrant Petition for Alien Worker as a Member of the Professions Holding an Advanced Degree or an Alien of Exceptional Ability Pursuant to Section 203(b)(2) of the Immigration and Nationality Act, 8 U.S.C. § 1153(b)(2)

ON BEHALF OF PETITIONER:

INSTRUCTIONS:

This is the decision of the Administrative Appeals Office (AAO) 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 visa petition was denied by the Director, Texas Service Center on May 2, 2007. The petitioner, through counsel, appealed to the Administrative Appeals Office (AAO) and on September 15, 2009 the AAO issued a Notice of Intent to Deny. On October 7, 2009, the petitioner, through counsel, requested that the appeal be withdrawn.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.

Perry Rhew  
Chief, Administrative Appeals Office