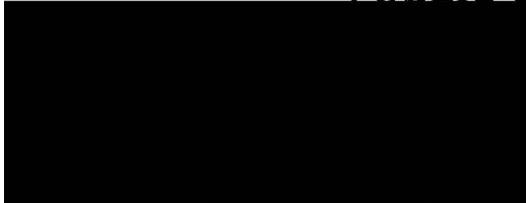


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prevent clearly unwarranted
invasion of personal privacy



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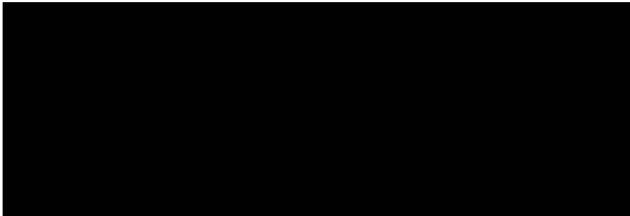
FILE: [Redacted]
SRC-06-110-53189

Office: TEXAS SERVICE CENTER Date: 11/08/06

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:



INSTRUCTIONS:

This is the decision of the Administrative Appeals Office in your case.

DISCUSSION: The Director, Texas Service Center, denied the immigrant visa petition. The matter is before the Administrative Appeals Office on Appeal. On November 7, 2006, counsel sent a Federal Express letter to the Administrative Appeals Office requesting that the AAO accept the letter as "notice to withdraw the appeal" as the petitioner had re-filed the I-140 petition, and the re-filed petition was pending before the Nebraska Service Center. The withdrawal may not be retracted. *See* 8 C.F.R. § 103.2(b)(6).

ORDER: The appeal is dismissed based upon its withdrawal. The record of proceeding will be forwarded to the Nebraska Service Center for consolidation with the pending application.

Robert P. Wiemann, Chief
Administrative Appeals Office