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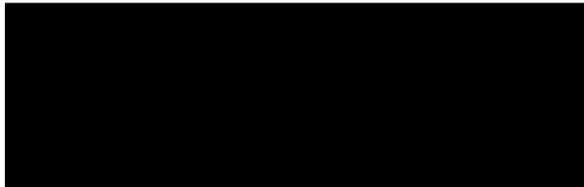
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U.S. Department of Homeland Security
U.S. Citizenship and Immigration Services
Office of Administrative Appeals, MS 2090
Washington, DC 20529-2090

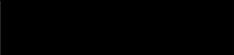


U.S. Citizenship
and Immigration
Services

B6



FILE:



Office: NEBRASKA SERVICE CENTER

Date: FEB 25 2010

SRC 06 146 51952

IN RE:

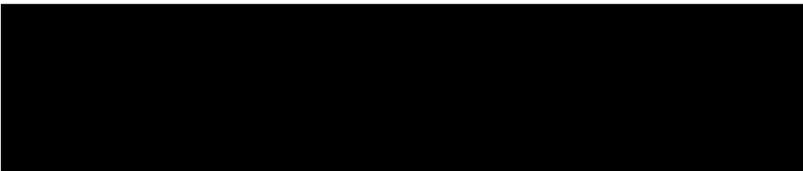
Petitioner:



Beneficiary:

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 (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 immigrant visa petition was denied by the Director, Nebraska Service Center. The Administrative Appeals Office (AAO) dismissed the appeal. The matter is now before the AAO on a motion to reconsider. On January 25, 2010, the petitioner requested that the petition be withdrawn. Title 8 C.F.R. § 103.2(b)(6), however, indicates that an application or petition may not be withdrawn once a decision is issued by U.S. Citizenship and Immigration Services. Notwithstanding this provision, even if the grounds of ineligibility in this matter were to be overcome on motion, this request to withdraw the petition now renders it subject to automatic revocation without prior notice. See 8 C.F.R. § 205.1(a)(3)(iii)(C). Therefore, as the request to withdraw the original petition was received before the issuance of the AAO's final decision in this matter, the issues in this proceeding are now moot, and the motion will be dismissed on this basis.

ORDER: The motion to reconsider is dismissed as moot.

Perry Rhew

Chief, Administrative Appeals Office