

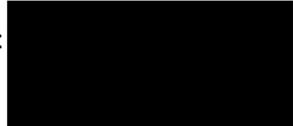


U.S. Citizenship
and Immigration
Services



86

DATE: DEC 19 2012

Office: NEBRASKA SERVICE CENTER FILE: 

IN RE: Petitioner: 
Beneficiary: 

PETITION: Immigrant Petition for Alien Worker as a Skilled Worker Pursuant to Section 203(b)(3) of the Immigration and Nationality Act, 8 U.S.C. § 1153(b)(3)

ON BEHALF OF PETITIONER:

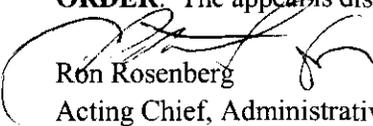


INSTRUCTIONS:

This is the decision of the Administrative Appeals Office in your case. 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 matter is now before the Administrative Appeals Office (AAO) on appeal. On December 6, 2012, the AAO received a request from the petitioner that the case be withdrawn. Title 8 C.F.R. § 103.2(b)(6), however, indicates that an application or petition may not be withdrawn once a decision is issued by U.S. Citizenship and Immigration Services. Moreover, even if the grounds of ineligibility were to be overcome on appeal, 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 decision in this matter, the issues in this proceeding are now moot, and the appeal will be dismissed on this basis. Moreover, a withdrawal may not be retracted. 8 C.F.R. § 103.2(b)(6).

ORDER: The appeal is dismissed as moot.


Ron Rosenberg
Acting Chief, Administrative Appeals Office