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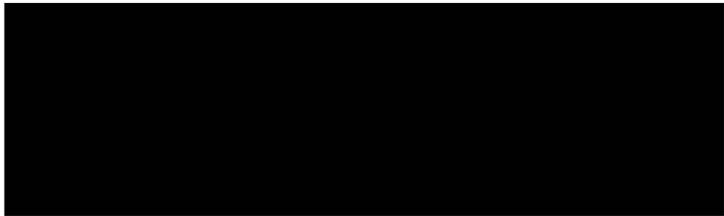
U.S. Department of Homeland Security  
U.S. Citizenship and Immigration Services  
Office of Administrative Appeals, MS 2090  
Washington, DC 20529-2090



U.S. Citizenship  
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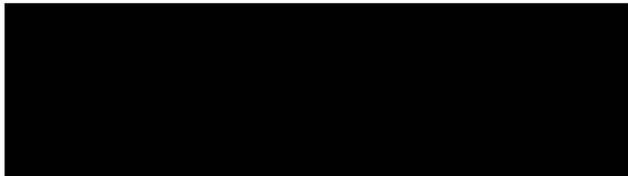


FILE: [REDACTED] Office: VERMONT SERVICE CENTER Date: JAN 21 2010  
EAC 08 045 50134

IN RE: Petitioner: [REDACTED]

PETITION: Petition for Nonimmigrant Classification as a Victim of Qualifying Criminal Activity  
Pursuant to Section 101(a)(15)(U) of the Immigration and Nationality Act, 8 U.S.C.  
§ 1101(a)(15)(U)

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.

A handwritten signature in black ink, appearing to read "Perry Rhew".

Perry Rhew  
Chief, Administrative Appeals Office

**DISCUSSION:** The petitioner seeks nonimmigrant classification under section 101(a)(15)(U) of the Immigration and Nationality Act (“the Act”), 8 U.S.C. § 1101(a)(15)(U), as an alien victim of certain qualifying criminal activity. On October 16, 2009, the Director, Vermont Service Center, recommended the denial of the nonimmigrant visa petition and certified his decision to the Administrative Appeals Office (AAO) for review. The director determined that, as the petitioner had already been granted lawful permanent residence status on the basis of an approved Special Immigration Juvenile petition, she was not entitled to U nonimmigrant classification. The director provided the petitioner with a period of 30 days to submit additional evidence in response to his decision.<sup>1</sup>

On December 22, 2009, counsel informed the AAO that the petitioner wished to withdraw her Form I-918, Petition for U Nonimmigrant Status. Accordingly, as no final decision has been entered into the record, the AAO shall permit the petitioner to withdraw her petition. *Matter of Cintron*, 16 I&N Dec. 9 (BIA 1976).

**ORDER:** The petition is acknowledged as withdrawn by counsel. The matter before the AAO is dismissed.

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<sup>1</sup> The director mailed his decision to the petitioner in care of her attorney of record; however, counsel never received the certification notice as it was mailed to counsel’s previous address. Therefore, on November 20, 2009, the AAO sent a copy of the director’s notice to counsel and provided her with an additional 33 days to submit evidence in response to the issues raised in the director’s notice.