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U.S. Department of Homeland Security
U.S. Citizenship and Immigration Service
Administrative Appeals Office (AAO)
20 Massachusetts Ave., N.W., MS 2090
Washington, DC 20529-2090



U.S. Citizenship
and Immigration
Services

DATE: **DEC 29 2014** OFFICE: CALIFORNIA SERVICE CENTER FILE: [REDACTED]

IN RE: Petitioner: [REDACTED]
Beneficiary: [REDACTED]

PETITION: Petition for a Nonimmigrant Worker Pursuant to Section 101(a)(15)(H)(i)(b) of the Immigration and Nationality Act, 8 U.S.C. § 1101(a)(15)(H)(i)(b)

ON BEHALF OF PETITIONER:

INSTRUCTIONS: This is the decision of the Administrative Appeals Office in your case. This is a non-precedent decision. We do not announce new constructions of law nor establish agency policy through non-precedent decisions. All documents related to this matter have been returned to the office that originally decided your case. Any further inquiry must be made to that office.

DISCUSSION: The service center director revoked the approval of the nonimmigrant visa petition, and the matter is now before us on appeal. On July 29, 2014, we received a letter from the petitioner stating that the beneficiary is no longer employed with the petitioner and requesting that the petition be withdrawn. The regulation at 8 C.F.R. § 103.2(b)(6), however, precludes this because U.S. Citizenship and Immigration Services has already issued a decision on the petition. Notwithstanding this provision, this request to withdraw the petition now renders it subject to immediate and automatic revocation without prior notice. *See* 8 C.F.R. § 214.2(h)(1)(ii). Therefore, as the request to withdraw the original petition was received before the issuance of our decision in this matter, the issues in this proceeding are now moot, and the appeal will be dismissed on this basis.

ORDER: The appeal is dismissed as moot.

Thank you.


Ron Rosenberg
Chief, Administrative Appeals Office