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

U.S. Citizenship and Immigration Services

(b)(6)

Date: APR 0 6 2015 OFFICE: CALIFORNIA SERVICE CENTER FILE:

IN RE: Petitioner:

Beneficiary:

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: SELF-REPRESENTED

INSTRUCTIONS: This is the decision of the Administrative Appeals Office (AAO) 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 denied the nonimmigrant visa petition, and the matter is now before us on appeal. The petitioner submitted a letter requesting that the petition be withdrawn.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, even if the grounds of ineligibility in this matter were to be overcome on appeal, 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)(11)(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