



**U.S. Citizenship  
and Immigration  
Services**

**Non-Precedent Decision of the  
Administrative Appeals Office**

MATTER OF S-P-, INC.

DATE: DEC. 17, 2015

APPEAL OF VERMONT SERVICE CENTER DECISION

PETITION: FORM I-129, PETITION FOR A NONIMMIGRANT WORKER

The Petitioner, a pharmaceutical business, seeks to temporarily employ the Beneficiary as a “compounding chemist” under the H-1B nonimmigrant classification. *See* Immigration and Nationality Act (the Act) § 101(a)(15)(H)(i)(b), 8 U.S.C. § 1101(a)(15)(H)(i)(b). The Director, Vermont Service Center, denied the petition. The matter is now before us on appeal. The appeal will be summarily dismissed.

On November 5, 2015, we issued a notice to the Petitioner requesting additional evidence. The Petitioner was afforded 33 days to respond to the notice; however, the Petitioner did not respond within the time period allowed in the request, or any time since then. If a petitioner does not respond to a notice by the required date, the benefit request may be summarily dismissed as abandoned, dismissed based on the record, or dismissed for both reasons. 8 C.F.R. § 103.2(b)(13)(i).<sup>1</sup> As the Petitioner has not responded to our notice, the benefit request is deniable under the regulatory provision cited above, making any remaining issues in this proceeding moot.

**ORDER:** The appeal is summarily dismissed as abandoned pursuant to 8 C.F.R. § 103.2(b)(13).

Cite as *Matter of S-P-, Inc.*, ID# 14257 (AAO Dec. 17, 2015)

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<sup>1</sup> The failure to submit requested evidence that precludes a material line of inquiry shall be grounds for denying the benefit request. *See* 8 C.F.R. § 103.2(b)(14).