



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

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

MATTER OF I-S-, INC

DATE: OCT. 21, 2015

APPEAL OF VERMONT SERVICE CENTER DECISION

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

The Petitioner seeks to employ the Beneficiary as an Oracle Database Administrator and to classify him as a nonimmigrant worker in a specialty occupation. *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, revoked the approval of the petition. The matter is now before us on appeal.

On September 9, 2015, the Petitioner's counsel requested that the petition be withdrawn. The regulation at 8 C.F.R. § 103.2(b)(6), however, precludes this because the 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)(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.

Cite as *Matter of I-S-, Inc*, ID# 15308 (AAO Oct. 21, 2015)