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U.S. Department of Homeland Security
20 Mass, Rm. A3042, 425 I Street, N.W.
Washington, DC 20536

U.S. Citizenship and Immigration Services

[redacted]

FILE: [redacted] Office: NEBRASKA SERVICE CENTER Date: JUN 4 2004

IN RE: Petitioner: [redacted]
Beneficiary:

PETITION: Immigrant Petition for Alien Worker or Professional Pursuant to Section 203(b)(3) of the Immigration and Nationality Act, 8 U.S.C. § 1153(b)(3)

ON BEHALF OF PETITIONER:

[redacted]

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.

Robert P. Wiemann, Director
for Administrative Appeals Office

DISCUSSION: The immigrant visa petition was denied by the Director, Nebraska Service Center. An appeal was dismissed by the Administrative Appeals Office (AAO). The matter is now before the AAO on motion to reopen/reconsider. The motion will be rejected.

The petition was denied by the center director on March 20, 2002. An appeal was dismissed by the AAO on March 26, 2003. The instant motion to reopen/reconsider was postmarked May 8, 2003 and received by CIS on May 13, 2003, 48 days after the most recent decision in this matter.

According to 8 C.F.R. § 103.5(a)(1)(i), a motion must be filed within thirty days of the decision with three additional days if the movant received notice of the adverse decision by mail. *See.* 8.C.F.R. § 103.5a(b). The motion in this matter was untimely filed.

ORDER: The motion is rejected.