



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

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

MATTER OF Q-M-, INC.

DATE: OCT. 16, 2015

APPEAL OF TEXAS SERVICE CENTER DECISION

PETITION: FORM I-140, IMMIGRANT PETITION FOR ALIEN WORKER

The Petitioner, an IT development and consulting business, sought to permanently employ the Beneficiary as a software engineer under the immigrant classification of member of the professions holding an advanced degree. *See* Immigration and Nationality Act (the Act) § 203(b)(2)(A), 8 U.S.C. § 1153(b)(2)(A). The Director, Texas Service Center, denied the petition. The matter is now before us on appeal.

On October 6, 2015, the Petitioner requested that the appeal and petition be withdrawn. The appeal will be dismissed based on its withdrawal by the Petitioner. The withdrawal may not be retracted. 8 C.F.R. § 103.2(b)(6).

Although the Petitioner requested that the petition be withdrawn, 8 C.F.R. § 103.2(b)(6), indicates that an application or petition may not be withdrawn once a decision is issued by U.S. Citizenship and Immigration Services. 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 automatic revocation without prior notice. *See* 8 C.F.R. § 205.1(a)(3)(iii)(C). 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.

ORDER: The appeal is dismissed.

Cite as *Matter of Q-M-, Inc.*, ID# 14920 (AAO Oct. 16, 2015)