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U.S. Department of Homeland Security
U.S. Citizenship and Immigration Services
Office of Administrative Appeals MS 2090
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U.S. Citizenship
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FILE: [REDACTED] Office: VERMONT SERVICE CENTER Date: NOV 16 2009
EAC 06 120 53121

IN RE: Petitioner: [REDACTED]
Beneficiary: [REDACTED]

PETITION: Petition for Alien Fiancé(e) Pursuant to § 101(a)(15)(K) of the Immigration and Nationality Act, 8 U.S.C. § 1101(a)(15)(K)

ON BEHALF OF PETITIONER:

INSTRUCTIONS:

DISCUSSION: The Vermont Service Center director initially denied the nonimmigrant visa petition and the Administrative Appeals Office (AAO) sustained a subsequent appeal. The AAO is now reopening the proceedings on a Service motion pursuant to 8 C.F.R. §103.5(a)(5) in response to counsel's January 27, 2009 letter requesting the withdrawal of the appeal.

ORDER: The appeal is dismissed based upon its withdrawal by the petitioner.

Perry Rhew
Chief, Administrative Appeals Office