

UNITED STATES COURT OF INTERNATIONAL TRADE

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 SERGIO U. RETAMAL, :  
 :  
 Plaintiff, :  
 :  
 v. : Court No. 03-00613  
 :  
 U.S. CUSTOMS AND BORDER PROTECTION :  
 DEPARTMENT OF HOMELAND SECURITY, :  
 :  
 Defendant. :  
 - - - - - x

Memorandum & Order

Dated: May 11, 2006

AQUILINO, Senior Judge: Pursuant to this court's slip opinion 04-149, 28 CIT \_\_\_\_ (Nov. 24, 2004), final judgment was entered, dismissing this action. Upon subsequent denial of a motion for rehearing per slip opinion 05-15, 29 CIT \_\_\_\_ (Feb. 3, 2005), the originally-pro-se plaintiff's adoptive counsel prosecuted an appeal to the U.S. Court of Appeals for the Federal Circuit, which handed down a decision that concluded:

The judgment of the United States Court of International Trade is vacated in part, reversed in part, and the case is remanded with instructions to dismiss.

Sergio U. Retamal & John J. Galvin v. U.S. Customs & Border Protection, 439 F.3d 1372, 1378 (Fed.Cir. 2006).

That court's judgment issued as a mandate on April 27, 2006 to the foregoing effect causes this court to reaffirm that all

that its judgment did on November 24, 2004 was to do what the appellate remand now seemingly requires, to wit, dismiss this action.

Ergo, it is once again so ordered.

Dated: New York, New York  
May 11, 2006

Thomas J. Aquilino, Jr.  
Senior Judge