

1 LAWRENCE G. BROWN
 Acting United States Attorney
 2 AUDREY B. HEMESATH
 Assistant United States Attorney
 3 501 I Street, Suite 10-100
 Sacramento, California 95814
 4 Telephone: (916) 554-2729

5 Attorneys for Defendants

6

7

8 **IN THE UNITED STATES DISTRICT COURT FOR THE**
EASTERN DISTRICT OF CALIFORNIA

9

10

NARVINDER SINGH,

)

CV 09-cv-F-164 OWW SMS

11

Plaintiff,

)

12

v.

)

13

MICHAEL CHERTOFF, et al.,

)

**STIPULATION RE:
 REMAND AND RESPONDENTS'
 ANSWER AND
 ORDER**

14

Defendants.

)

15

16

)

17

This is an immigration case in which plaintiff has filed to challenge U.S. Citizenship and
 18 Immigration Services' (CIS) failure to timely adjudicate his naturalization application and to seek
 19 de novo review of this application. As of the time of this filing, the agency is prepared to adjudicate
 20 the application. Because of the jurisdictional posture of the case, the agency cannot complete that
 21 process until the case is remanded with instructions to CIS. 8 U.S.C. § 1447(b). Accordingly, the
 22 parties jointly agree that the case should be remanded with instructions to complete adjudication of
 23 the case within 60 days from the date of the order of remand. In the event CIS fails to timely
 24 complete this adjudication, the parties agree that jurisdiction will revert to this Court, and a
 25 scheduling conference will take place as soon as possible.

26

27

28

1 Dated: March 25, 2009

Respectfully Submitted,

2 McGREGOR W. SCOTT
3 United States Attorney

4
5 By: /s/Audrey Hemesath
6 Audrey B. Hemesath
7 Assistant U.S. Attorney
8 Attorneys for the Respondents

9
10 By: /s/ James M. Makasian
11 James M. Makasian
12 Attorney for the Petitioner

13 ORDER

14 Pursuant to this Joint Stipulation and for the reasons stated therein, IT IS HEREBY
15 ORDERED that the case be remanded to Citizenship and Immigration Services to complete
16 adjudication on the application for naturalization within 60 days from the date of this Order.

17 IT IS SO ORDERED.

18 DATED: April 9, 2009

/s/ OLIVER W. WANGER
19 UNITED STATES DISTRICT JUDGE
20
21
22
23
24
25
26
27
28