

1 BENJAMIN B. WAGNER  
United States Attorney  
2 AUDREY B. HEMESATH  
Assistant United States Attorney  
3 501 I Street, Suite 10-100  
Sacramento, California 95831  
4 Telephone: (916) 554-2700

5 Attorneys for Respondents

6 **UNITED STATES DISTRICT COURT**  
7 **EASTERN DISTRICT OF CALIFORNIA**

8 MARTIN GODINEZ MONTES de OCA, )

) Case No.: 1:13-cv-402 AWI BAM

9 Petitioner, )

10 vs. )

11 AL GALLMAN, Officer in Charge, USCIS )  
Fresno Field Office, *et al.* )

) **STIPULATION AND ORDER FOR**  
) **EXTENSION OF TIME AND**  
) **CONTINUING SCHEDULING**  
) **CONFERENCE**

12 Respondents. )  
13 )  
14 )  
15 )  
16 )

17  
18 This is an immigration case in which Petitioner challenges the denial of his application to  
19 adjust status to that of lawful permanent resident. On May 21, 2013, United States Citizenship  
20 and Immigration Services administratively reopened the case toward the end of issuing a new  
21 decision on the application. Because the matter has been reopened, the parties now agree to a  
22 four-month extension of time for the filing of the government's answer to the complaint, until  
23 September 23, 2013. The parties also agree that the status conference be reset to sometime after  
24 the new answer date.  
25  
26  
27  
28

1 Dated: May 21, 2013

Respectfully submitted,

2 BENJAMIN B. WAGNER  
3 United States Attorney

4 /s/ Audrey B. Hemesath  
5 AUDREY B. HEMESATH  
6 Assistant U.S. Attorney  
7 Attorneys for Respondents

8 DATED: May 21, 2013

Respectfully submitted,

9 /s/ Robert B. Jobe  
10 Robert B. Jobe  
11 Attorney for the Petitioner

12 **ORDER**

13 The parties having so stipulated and good cause appearing, **IT IS HEREBY ORDERED:**

14 (1) Defendants may have up to and including September 23, 2013 to file a responsive  
15 pleading in this matter;

16 (2) the INITIAL SCHEDULING CONFERENCE set for June 26, 2013 is continued  
17 to **October 23, 2013 at 8:30AM** in Courtroom 8 before Judge McAuliffe. A JOINT Scheduling  
18 Conference Report, carefully prepared and executed by all counsel, shall be electronically filed  
19 in full compliance with the requirements set forth in the Order Setting Mandatory Scheduling  
20 Conference, one (1) full week prior to the Scheduling Conference, and a copy shall be e-mailed,  
21 in WordPerfect or Word format, to bamorders@caed.uscourts.gov. The parties may appear by  
22 telephone.

23 IT IS SO ORDERED.

24 Dated: May 22, 2013

25 /s/ Barbara A. McAuliffe  
26 UNITED STATES MAGISTRATE JUDGE  
27  
28