

1 BENJAMIN B. WAGNER  
 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 Respondents

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

CLAUDINE SON,	)	No. 2:10-cv-3327 GGH
	)	
Plaintiff,	)	JOINT STIPULATION AND ORDER RE: DISMISSAL.
	)	
v.	)	
	)	
Michael C. Biggs, Secretary of Homeland Security, et al.	)	
	)	
Defendants.	)	

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This is an immigration case in which Plaintiff challenges the denial of her naturalization application pursuant to 8 U.S.C. § 1421(c). Subsequent to the filing of the lawsuit, however, Plaintiff was placed into removal proceedings. Because she is now in proceedings, Plaintiff cannot simultaneously pursue naturalization. 8 U.S.C. § 1429. Accordingly, the parties stipulate to dismissal of this lawsuit, without prejudice to Plaintiff's ability to refile upon the conclusion of the removal proceedings.

DATED: June 6, 2011	Respectfully submitted,
	BENJAMIN B. WAGNER United States Attorney
	<u>/s/ Audrey B. Hemesath</u> Audrey B. Hemesath Assistant U.S. Attorney
	<u>/s/ Geri Nadine Kahn</u> Geri Nadine Kahn Attorney for the Plaintiff

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ORDER

Pursuant to this Joint Stipulation and for the reasons stated therein, IT IS HEREBY ORDERED that the matter is DISMISSED without prejudice.<sup>1</sup>

IT IS SO ORDERED.

DATED: June 8, 2011

/s/ Gregory G. Hollows

UNITED STATES MAGISTRATE JUDGE

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<sup>1</sup>Pursuant to Fed.R.Civ.P. 41(a), a stipulated dismissal requires no court order. However, form housekeeping purposes, the undersigned has signed it.