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

OTONIEL GRACIANO-ESCALANTE,

Plaintiff,

No. 2:12-cv-385 KJM GGH

v.

JANET NAPOLITANO et al.,

Defendants.

ORDER

On February 23, 2012, this matter was referred to the undersigned for purposes of pretrial scheduling with a pre-trial scheduling conference set for July 12, 2012. (Dkt. No. 5.) On July 2, 2012, the parties filed a joint scheduling report, which characterized the action as a challenge by plaintiff under the Administrative Procedure Act (“APA”) to the denial of his application for adjustment of status pursuant to the Immigration and Nationality Act (“INA”) § 245(i), 8 U.S.C. § 1255(i). (Dkt. No. 8.) The parties represented that judicial review would be limited to the administrative record, and that therefore, the case would be appropriate for resolution by cross-motions for summary judgment and should not be set for trial. (Id.) The parties also stipulated to a briefing schedule. (Id.)

Subsequently, on July 10, 2012, the parties filed a further stipulation to vacate the

