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**FILED**

MAY 28 2014

CLERK, U.S. DISTRICT COURT  
 EASTERN DISTRICT OF CALIFORNIA  
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6 Attorneys for Defendants

7 UNITED STATES DISTRICT COURT  
 8 EASTERN DISTRICT OF CALIFORNIA

9 GEVORG AVAZIAN, )  
 10 ) Case No.: 2:13-cv-2589 GEB AC  
 Plaintiff, )  
 11 )  
 v. )  
 12 )  
 13 RAND BEERS, et al., ) **JOINT STIPULATION AND**  
 ) **[PROPOSED] ORDER RE: ABEYANCE**  
 14 Defendants. )  
 15 )  
 16 )

17 This is an immigration case in which plaintiff has challenged the alleged delay in the  
 18 adjudication of his administrative appeal of the denial of his naturalization application by U.S.  
 19 Citizenship and Immigration Services (CIS). CIS denied the administrative appeal on April 28,  
 20 2014; the mandamus portion of the lawsuit is moot.

22 Jurisdiction is available under 8 U.S.C. § 1421(c) to challenge the merits of the denial of  
 23 Plaintiff's application. However, Plaintiff has recently been referred into removal proceedings.  
 24 This Court's jurisdiction to consider the merits of the naturalization application is limited now  
 25 that Plaintiff has been referred into proceedings. *See De Lara Bellajaro v. Schiltgen*, 378 F.3d  
 26 1042, 1043, 44 (9th Cir. 2004).  
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