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7 8	UNITED STATES DISTRICT COURT EASTERN DISTRICT OF CALIFORNIA	
9	GEVORG AVAZIAN,	)
10	Plaintiff,	) Case No.: 2:13-cv-2589 GEB AC
11		)
12	v.	)
13	RAND BEERS, et al.,	) JOINT STIPULATION AND ) [PROPOSED] ORDER RE: ABEYANCE
14	Defendants.	)
15		)
16		<del></del>
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.  Citizenship and Immigration Services (CIS). CIS denied the administrative appeal on April 28,  2014; the mandamus portion of the lawsuit is moot.	
19		
20		
21		
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 1042, 1043, 44 (9th Cir. 2004).	
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Accordingly, the parties now stipulate to hold this matter in abeyance pending resolution of the removal proceedings. The parties agree to file a status report on May 25, 2015.

The parties request that the status conference, currently set for June 9, 2014, be reset to sometime after May 25, 2015.

Dated: May 15, 2014

Respectfully submitted,

BENJAMIN B. WAGNER
United States Attorney

s/ Audrey B. Hemesath
AUDREY B. HEMESATH
Assistant United States Attorney

s/ Douglas LehrmanDOUGLAS LEHRMANAttorney for the Plaintiff

## [PROPOSED] ORDER

For the foregoing reasons, the case is held in abeyance. The parties shall submit a status

report on May 25, 2015.

UNITED STATES DISTRICT WDGE