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7 Attorneys for Respondents

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 9 UNITED STATES DISTRICT COURT  
 10 NORTHERN DISTRICT OF CALIFORNIA  
 11 SAN JOSE DIVISION

12 ARACELY DE JESUS FAJARDO )  
 13 GARCIA, )

No. C 08-5729-JF

14 Petitioner, )

**STATUS REPORT; AND [PROPOSED]  
ORDER**

15 v. )

16 MICHAEL CHERTOFF, Secretary, )  
 Department of Homeland Security; )  
 17 NANCY ALCANTAR, Field Office )  
 Director, Immigration and Customs )  
 18 Enforcement; and MICHAEL )  
 MUKASEY, Attorney General of the )  
 19 United States, )

20 Respondents. )  
 )  
 )

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 22 Petitioner, by and through her attorney of record, and respondents, by and through their  
 23 attorneys of record, hereby submit this status report. Although the parties advised the Court on  
 24 January 23, 2009, that they would submit a revised briefing schedule and a proposed hearing date  
 25 within one week, the parties respectfully request an additional six days to submit their revised  
 26 briefing schedule based on the fac that they are continuing to discuss ways of either  
 27 administratively resolving the matter or placing the case in abeyance pending resolution of an  
 28 appeal that was argued at the United States Court of Appeals for the Ninth Circuit on January 13,

1 2009.

2 With the Court's approval, the parties will submit a revised briefing schedule and a proposed  
3 hearing date by February 4, 2009.

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5 Date: January 30, 2009

Respectfully submitted,

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JOSEPH P. RUSSONIELLO  
United States Attorney

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/s/  
EDWARD A. OLSEN  
Assistant United States Attorney  
Attorneys for Respondents

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Date: January 30, 2009

/s/  
JAMES TODD BENNETT, Esq.  
Attorney for Petitioner

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**ORDER**

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Pursuant to stipulation, IT IS SO ORDERED.

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Date: 2/2/09

  
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JEREMY FOGEL  
United States District Judge

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