

1 JOSEPH P. RUSSONIELLO, CSBN 44332  
 United States Attorney  
 2 JOANN M. SWANSON, CSBN 88143  
 Assistant United States Attorney  
 3 Chief, Civil Division  
 ILA C. DEISS, NY SBN 3052909  
 4 Assistant United States Attorney

5 450 Golden Gate Avenue, Box 36055  
 San Francisco, California 94102  
 6 Telephone: (415) 436-7124  
 FAX: (415) 436-7169

7 Attorneys for Defendants

8 UNITED STATES DISTRICT COURT  
 9 NORTHERN DISTRICT OF CALIFORNIA  
 10 SAN FRANCISCO DIVISION

11 JINYUE SUN,

12 Plaintiff,

13 v.

14 ROSEMARY MELVILLE, District Director,  
 15 DHS San Francisco District Office; et al.,

16 Defendants.  
 17

) No. C 09-1475 MEJ

) **PARTIES' CONSENT TO MAGISTRATE**  
 ) **JUDGE JURISDICTION; STIPULATION**  
 ) **TO DISMISS; AND ~~PROPOSED~~**  
 ) **ORDER**

18 In accordance with the provisions of 28 U.S.C. § 636(c) and Fed. R. Civ. P. 73, Plaintiff and  
 19 Defendants in this case hereby voluntarily consent to have a United States Magistrate Judge  
 20 conduct any and all further proceedings in the case, including trial, and order the entry of a final  
 21 judgment.

22 Further, Plaintiff, by and through her attorneys of record, and Defendants by and through their  
 23 attorneys of record, hereby stipulate, to dismissal of the above-entitled action without prejudice in  
 24 light of the fact that the United States Citizenship and Immigration Services has approved  
 25 Plaintiff's application for adjustment of status and will issue Plaintiff a permanent resident card  
 26 within 45 days of the dismissal of this action, absent unforeseen circumstances.

27 ///

28 Stipulation to Dismiss  
 C 09-1475 MEJ

1 Each of the parties shall bear their own costs and fees.

2 Dated: June 16, 2009

Respectfully submitted,

JOSEPH P. RUSSONIELLO  
United States Attorney

4

5

\_\_\_\_\_/s/  
ILA C. DEISS<sup>1</sup>  
Assistant United States Attorney  
Attorneys for Defendants

6

7

8

9 Date: June 15, 2009

\_\_\_\_\_/s/  
ROBERT B. JOBE  
Attorney for Plaintiff

10

11

12

**ORDER**

13

Pursuant to stipulation, IT IS SO ORDERED. The Clerk of Court shall close the file.

14

15

Date: June 17, 2009

\_\_\_\_\_  
MARIA-LEN JAMES  
United States Magistrate Judge

16

17

18

19

20

21

22

23

24

25

26

<sup>1</sup> I, Ila Deiss, hereby attest that I have on file all holograph signatures for any signatures indicated by a "conformed" signature (/S/) within this e-filed document.

27

28