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11 ATTORNEYS FOR DEFENDANTS

12 **UNITED STATES DISTRICT COURT**
13 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**

14
15 GLORIA PLASCENCIA-DE HARO,) No. 3:14-cv-03058

16 Plaintiff,)

17 v.)

18)
19 ERIC H. HOLDER, JR., Attorney)
20 General of the United States, et al.,)

21 Defendants.)
22)

) **STIPULATION TO EXTEND TIME**
) **TO RESPOND TO ORDER TO**
) **SHOW CAUSE**

23
24 Pursuant to Local Rules 6-2 and 7-12, Plaintiff Gloria Plascencia-De Haro
25 (“Haro”) and Defendants Eric H. Holder, Jr., et al. (“Defendants” and collectively
26 with Plaintiff, the “Parties”) stipulate as follows:

27 This is an immigration case arising under the Administrative Procedure Act,
28 5 U.S.C. § 701, in which Plaintiff challenges the denial by United States

UNITED STATES DEPARTMENT OF JUSTICE, CIVIL DIVISION
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1 Citizenship and Immigration Services of Plaintiff's application for adjustment of
2 status to permanent residence. Plaintiff also seeks to enjoin United States
3 Immigration and Customs Enforcement from removing Plaintiff pursuant to an
4 order of voluntary departure issued in 1994.

5 On April 2, 2015, Defendants filed a Motion to Dismiss for Lack of
6 Jurisdiction and for Partial Summary Judgment. (ECF No. 22.) On May 4, 2015,
7 Plaintiff filed a motion to stay proceedings pending a decision in the Fifth Circuit
8 case of *State of Texas v. United States*, No. 15-40238 (5th Cir.). (ECF No. 26.)
9 Defendants opposed Plaintiff's motion. (ECF No. 31.) On September 3, 2015, the
10 Court heard argument on Defendants' motion to dismiss and for summary
11 judgment and took the pending motions under submission. (ECF No. 40.)

12 On January 26, 2016, the Court issued an Order to Show Cause directing the
13 Parties to address "why this case should not be stayed pending issuance of the
14 Supreme Court's decision" in *United States of America, et al. v. State of Texas, et*
15 *al.*, No. 15-674. (ECF No. 41.) The order directed the Parties to respond by
16 February 5, 2016.

17 The Parties respectfully request and stipulate to an order extending the
18 Parties' time to respond to the Order to Show Cause by fourteen days, from
19 February 5, 2016, until and including February 19, 2016. Defendants require that
20 extension due to recent inclement weather that closed the offices of Defendants'
21 counsel for several days before and after the Court issued its Order to Show Cause,
22 followed by several days of travel by Defendants' counsel to Los Angeles for a
23 court hearing in an unrelated matter.

24 This requested time modification will have no effect on the schedule for this
25 case.

26 In an email dated February 3, 2016, counsel for Plaintiff stated that Plaintiff
27 would stipulate to a request to extend the Parties' time to respond to the Order to
28

1 Show Cause, from February 5, 2016, until and including February 19, 2016.
2 Undersigned counsel for Defendants attests he has on file all holographic
3 signatures corresponding to any signatures indicated by a conformed signature
4 (“/s/”) within this Stipulation.

5 In addition to this Stipulation, previous time modifications in this case
6 consist of the following:

7 On September 25, 2014, the parties stipulated to extend the time for
8 Defendants to answer or otherwise respond to the Complaint so that Plaintiff could
9 file an amended complaint to account for additional administrative action that had
10 occurred since the filing of her original complaint. (ECF No. 10.) On September
11 29, 2014, the Court endorsed the stipulation. (ECF No. 11.)

12 On March 2, 2015, the Court granted in part and denied in part Defendants’
13 February 26, 2015, unopposed motion to extend their February 26, 2015, deadline
14 to file their motion for summary judgment until and including April 27, 2015.
15 (ECF No. 18.) The Court’s March 2, 2015, order granted Defendants until and
16 including March 19, 2015, to file their motion for summary judgment. (ECF No.
17 19.)

18 On March 20, 2015, Defendants filed a second unopposed motion to extend
19 their time to file their motion for summary judgment (ECF No. 20.) On March 20,
20 2015, the Court granted Defendants the motion and granted Defendants until and
21 including April 2, 2015, to file their motion for summary judgment. (ECF No. 21.)

22 On August 12, 2015, the Parties stipulated to continue the hearing date on
23 Defendants’ Motion to Dismiss and for Partial Summary Judgment from August
24 20, 2015, to September 3, 2015. (ECF No. 38.) On August 13, 2015, the Court
25 endorsed the stipulation. (ECF No. 39.)

26 Thus, for the reasons set forth above and for good cause show, the Parties
27 request and stipulate to an order extending the Parties’ time to respond to the Order
28

1 to Show Cause by fourteen days, from February 5, 2016, until and including
2 February 19, 2016.

3 Dated: February 4, 2016

Respectfully submitted,

4
5 LAW OFFICE OF
6 ROBERT L. LEWIS

BENJAMIN C. MIZER
Principal Deputy
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7 /s/ Kevin Michael Crabtree

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14 /s/ Hans H. Chen

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24 PURSUANT TO STIPULATION, IT IS SO ORDERED.

25 Dated: February 5, 2016

26 
27 HON. HAYWOOD S. GILLIAM, JR.
28 United States District Judge

1 **CERTIFICATE OF SERVICE**

2
3 I hereby certify that on February 5, 2016, I filed the foregoing document and
4 any exhibits and attachments thereto with the Clerk of the Court through the
5 Court's ECF system and that the foregoing document will be served electronically
6 upon registered participants identified on the Notice of Electronic Filing.

7 Dated: February 5, 2016 /s/ Hans H. Chen
8 HANS H. CHEN
9 Trial Attorney
10 United States Department of Justice
11 Civil Division
12 Office of Immigration Litigation
13 District Court Section

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