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8 UNITED STATES DISTRICT COURT
 9 NORTHERN DISTRICT OF CALIFORNIA
 10 OAKLAND DIVISION

11 UNITED STATES DEPARTMENT OF)
 12 JUSTICE, EXECUTIVE OFFICE FOR)
 IMMIGRATION REVIEW,)

No. 08-5265-SBA

13 Petitioner,)

**FURTHER STATUS REPORT; AND
ORDER**

14 v.)

15 NI CHI NGUYEN and CHUNG VAN DO,)
 16)

17 Respondents.)

18 _____)
19 The petitioner hereby submits this further status report in the above-captioned matter.

20 The U.S. Attorney’s Office has still not been able to locate either of the respondents in order to
 21 properly serve them with the Court’s Orders to Show Cause, along with the petition, supporting
 22 memorandum, and supporting declaration. The Immigration Judge has moved the removal hearing
 23 in Immigration Court to May 1, 2009, and intends to have a status conference with the parties to
 24 that proceeding to discuss, among other things, whether any of the parties have suggestions for
 25 locating the respondents. In light of the fact that the status conference could potentially develop
 26 information which might assist the U.S. Attorney’s Office in locating the respondents, the
 27 government seeks permission to submit a further status report in six weeks, which will give the
 28 Immigration Judge time to schedule a status conference and for the government to report the results
 of that status conference to this Court.

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Dated: February 4, 2009

Respectfully submitted,

JOSEPH P. RUSSONEILLO
United States Attorney

/s/
EDWARD A. OLSEN
Assistant United States Attorney

ORDER

In light of the fact that the petitioner has been unable to successfully serve either of the respondents in the above-captioned matter in compliance with Federal Rule of Civil Procedure 4, and in light of the fact that the Immigration Juge has re-scheduled the removal proceeding to May 1, 2009, and will hold a status conference with the parties to determine if any of the parties has suggestions for locating the respondents, the government is directed to provide the Court with a further status report within six weeks of the date of this Order.

Dated: February 6, 2009



SAUNDRA B. ARMSTRONG
United States District Judge