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2 UNITED STATES DISTRICT COURT
3 FOR THE NORTHERN DISTRICT OF CALIFORNIA
4 OAKLAND DIVISION
5

6 UNITED STATES DEPARTMENT OF
7 JUSTICE, EXECUTIVE OFFICE FOR
8 IMMIGRATION REVIEW,

8 Petitioner,

9 v.

10 NI CHI NGUYEN,

11 Respondent.
12

Case No: C 09-2981 SBA

**ORDER VACATING HEARING AND
DISCHARGING ORDER TO SHOW
CAUSE**

[Docket 9]

13
14 Petitioner previously requested an order to show cause (OSC) why a subpoena should not
15 be issued to compel Respondent Ni Chi Nguyen to appear in immigration court for a removal
16 hearing to be held on August 12, 2009. (Docket 7, 9.) However, since that hearing date has passed
17 and given that the Court has not been advised that a new, future date has in fact been set by the
18 immigration court, the OSC is now moot. Accordingly,

19 IT IS HEREBY ORDERED THAT the OSC for the issuance of a subpoena requiring
20 Respondent's appearance in immigration court on August 12, 2009 is DISCHARGED AS MOOT.
21 This Order is made without prejudice to the submission of an amended request for an OSC in the
22 event a new date before the immigration court is set at which Respondent's appearance is required.
23 The October 6, 2009 hearing date in this Court is VACATED.

24 IT IS SO ORDERED.

25
26 Dated: October 1, 2009


SAUNDRA BROWN ARMSTRONG
United States District Court