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7			
8	Attorneys for Defendants		
9	UNITED STATES DISTRICT COURT		
10	NORTHERN DISTRICT OF CALIFORNIA		
11	OAKLAND DIVISION		
		、 、	
12	KULWANT KAUR,) C 16-00761 KAW	
13	Plaintiff,)	
14	V.)	
15	ROBIN BARRETT, Field Office Director,	STIPULATION REMANDING CASE TO UNITED STATES CITIZENSHIP AND	
16	USCIS San Francisco; LEON RODRIGUEZ, Director, U.S. Citizenship and Immigration	IMMIGRATION SERVICES, PURSUANT TO 8 U.S.C. § 1447(b) and [PROPOSED] ORDER	
17	Services; JEH JOHNSON, Secretary, U.S.)	
18	Department of Homeland Security LORETTA LYNCH, U.S. Attorney General,)	
19	Defendants.		
20	Derendants.))	
21	1. Plaintiff commenced an action pursuant to 8 U.S.C. § 1447(b), requesting this Court to		
22	adjudicate her application for naturalization that was pending before the United States Citizenship and		
23	Immigration Services ("USCIS" or "the agency") for more than 120 days after Plaintiff had been		
24	interviewed.		
25	2. USCIS is now prepared to resolve this matter by adjudicating Plaintiff's application for		
26	naturalization. However, USCIS cannot adjudicate the application unless and until the Court remands		
27	the matter to the agency. See 8 U.S.C. § 1447(b) (explaining that the district court "may remand [a		
28			
	STIPULATION TO REMAND C16-00761 KAW		
		Dockets.Justia	

1	Section 1447(b) case], with appropriate instructions, to the [USCIS]"); United States v. Hovsepian, 359		
2	F.3d 1144, 1160 (9 th Cir. 2004) (accord).		
3	Accordingly, IT IS HEREBY STIPULATED that:		
4	1. The Court shall remand this case to USCIS, directing the agency to take any and all		
5	necessary actions, and issue a decision on Plaintiff's application for naturalization within 30 days of the		
6	remand order.		
7	2. If USCIS does not issue a decision on Plaintiff's application for naturalization within the		
8	time frame set forth in paragraph 1 above, Defendants will not oppose any request by Plaintiff to this		
9	Court to vacate the remand order and thereby re-assert jurisdiction over Plaintiff's action pursuant to 8		
10	U.S.C. § 1447(b). Each party will bear their own costs and attorney fees.		
11	Date: March 18, 2016	Respectfully submitted,	
12		BRIAN J. STRETCH	
13		Acting United States Attorney	
14		/s/_Alex G. Tse	
15		ALEX G. TSE Assistant United States Attorney	
16		Attorneys for Defendants	
17			
18	Dated: March 18, 2016	/s/ Sarah B. Castello SARAH B. CASTELLO	
19		Attorney for Plaintiff	
20			
21	ORDER		
22	Pursuant to stipulation, IT IS SO ORDERED.		
23			
24			
25	Date: 4/1/16	Kandes Westmore	
26		KANDIS A. WESTMORE United States Magistrate Judge	
27			
28	STIPULATION TO REMAND C16-00761 KAW		