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*\*E-FILED - 6/25/15\**

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

LETICIA GONZALEZ JIMENEZ,  
Plaintiff,  
v.  
JANET NAPOLITANO, et al.,  
Defendant.

CASE NO.: C-12-03558-RMW

ORDER LIFTING STAY AND ORDER TO  
SHOW CAUSE RE DISMISSAL

On September 30, 2013 the court granted petitioner's motion to stay her petition for habeas corpus pending exhaustion of her administrative remedies. The court's order staying deportation was to remain in effect pending resolution of administrative remedies or the court ordering otherwise, whichever occurred first. The parties were to keep the court informed as to the status of petitioner's administrative motion to reopen her case before the BIA.

The respondent has filed three status reports with the court stating that petitioner has taken no action to its knowledge since the court's September 30, 2013 order. The petitioner did file a response after the respondent filed her third status report on June 15, 2015 stating that petitioner had no objection to the lifting of the stay. However, the petitioner has not yet filed a motion to reopen her case before the BIA dispute having over 32 months to do so. Therefore,

IT IS HEREBY ORDERED that the stay issued on September 30, 2013 is lifted and

ORDER TO SHOW CAUSE RE DISMISSAL  
No. C-12-03558-RMW  
rmw:jc

1 petitioner is to show cause WHY THIS CASE SHOULD NOT BE DISMISSED for failure to  
2 diligently prosecute. Petitioner is to file by July 10, 2015 a declaration showing what she has done  
3 to exhaust her administrative remedies or otherwise done to pursue her habeas corpus petition and  
4 brief not to exceed five pages in length explaining why the case should not be dismissed. The  
5 respondent may file a response by July 24, 2015 not to exceed five pages in length.

6 DATED: June 25, 2015

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9 RONALD M. WHYTE  
United States District Judge

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