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6 **UNITED STATES DISTRICT COURT**  
7 **SOUTHERN DISTRICT OF CALIFORNIA**

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9 HECTOR BARAJAS VARELA, an  
10 individual,  
11  
12 Plaintiff,  
13 v.  
14 UNITED STATES CITIZENSHIP AND  
IMMIGRATION SERVICES, et al.,  
Defendants.

Case No.: 3:17-cv-02490-H-WVG


**ORDER GRANTING JOINT  
MOTION TO DISMISS WITHOUT  
PREJUDICE**

[Doc. No. 5]

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16 On December 12, 2017, Plaintiff filed a petition for de novo naturalization hearing  
17 pursuant to 8 U.S.C. § 1447(b). (Doc. No. 1.) On February 28, 2018, the parties filed a joint  
18 motion to dismiss this case without prejudice pursuant to Federal Rule of Civil Procedure  
19 41(a)(1)(A)(ii). (Doc. No. 5.) In their motion, the parties explain that Defendant United  
20 States Citizenship and Immigration Services (“USCIS”) has agreed to adjudicate Plaintiff’s  
21 application for naturalization within the next thirty days. (Id.) Plaintiff reserves the right to  
22 refile his petition if USCIS does not so adjudicate. (Id.) For good cause shown, the Court  
23 **GRANTS** the joint motion to dismiss without prejudice. The Clerk is directed to close the  
24 case.

25 **IT IS SO ORDERED.**

26 DATED: February 28, 2018

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28 MARILYN L. HUFF, District Judge  
UNITED STATES DISTRICT COURT