

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO

Civil Action No. 10-cv-00605-BNB

**FILED**  
UNITED STATES DISTRICT COURT  
DENVER, COLORADO

CANDELARIA MORENO-GUTIERREZ,

APR 20 2010

Plaintiff,

GREGORY C. LANGHAM  
CLERK

v.

JANET NAPOLITANO, Secretary, U.S. Department of Homeland Security,  
ALEJANDRO MAYORKAS, Director, U.S. Citizenship and Immigration Services,  
PERRY RHEW, Chief, Administrative Appeals Office, U.S. Citizenship and Immigration  
Services, and  
DANIEL RENAUD, Director, Vermont Service Center, U.S. Citizenship and Immigration  
Services,

Defendants.

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ORDER GRANTING PLAINTIFF LEAVE TO PROCEED  
PURSUANT TO 28 U.S.C. § 1915

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Plaintiff has filed *pro se* a Motion and Affidavit for Leave to Proceed Pursuant to 28 U.S.C. § 1915 and a "Complaint for Declaratory and Injunctive Relief and Petition for Writ of Mandamus." The motion and affidavit indicate that Plaintiff should be granted leave to proceed pursuant to 28 U.S.C. § 1915 solely on the basis of inability to prepay fees or give security therefor. Accordingly it is

ORDERED that the Motion and Affidavit for Leave to Proceed Pursuant to 28 U.S.C. § 1915 is granted. It is

FURTHER ORDERED that the court review the complaint pursuant to 28 U.S.C. § 1915(e)(2)(B) to determine if the complaint is frivolous or malicious, fails to state a claim on which relief may be granted, or seeks monetary relief against a defendant who is immune from such relief.

DATED April 20, 2010, at Denver, Colorado.

BY THE COURT:

s/ Boyd N. Boland  
United States Magistrate Judge

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO

**CERTIFICATE OF MAILING**

Civil Action No. 10-cv-00605-BNB

Laura L. Lichter  
Attorney at Law

**DELIVERED ELECTRONICALLY**

I hereby certify that I have mailed a copy of the **ORDER** to the above-named individuals on 4/20/10

GREGORY C. LANGHAM, CLERK

By 

Deputy Clerk