

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
ORLANDO DIVISION**

**MARTHA PAEZ-BASTO and
MASSIMILIANO CENTANNI,**

Plaintiffs,

v.

Case No: 6:13-cv-1955-Orl-31TBS

**ACTING SECRETARY, DEPARTMENT
OF HOMELAND SECURITY,
DIRECTOR, CITIZENSHIP AND
IMMIGRATION SERVICES, DISTRICT
DIRECTOR, CITIZENSHIP AND
IMMIGRATION SERVICES, TAMPA,
FLORIDA, FIELD OFFICE DIRECTOR,
CITIZENSHIP AND IMMIGRATION
SERVICES, ORLANDO, FLORIDA and
UNITED STATES ATTORNEY'S
OFFICE FOR THE MIDDLE DISTRICT
OF FLORIDA,**


Defendants.

ORDER

This matter comes before the Court on the Motion to Dismiss for Lack of Jurisdiction (Doc. 25) filed by the Defendants. The Defendants argue, and the Plaintiffs appear to concede, that the appeal of the denial of Plaintiff Martha Paez-Basto's I-130 Petition stripped this Court of subject matter jurisdiction. Subsequently, Paez-Basto sought to withdraw the appeal; however the record does not reflect whether the attempt was successful.

Accordingly, on or before May 30, 2014, counsel for Paez-Basto shall file a notice indicating whether the appeal was successfully withdrawn. Assuming that it was, the Court will then consider the schedule for resolving the Plaintiffs' Motion for Summary Judgment (Doc. 23).¹

DONE and **ORDERED** in Chambers, Orlando, Florida on May 27, 2014.



GREGORY A. PRESNELL
UNITED STATES DISTRICT JUDGE

Copies furnished to:

Counsel of Record
Unrepresented Party

¹ If any Defendant believes that the withdrawal of the appeal is not sufficient to cure the lack of jurisdiction, it shall promptly notify the Court and file a memorandum of law in support.