

IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF FLORIDA
GAINESVILLE DIVISION

XUEYING ZHAO,

Plaintiff,

v.

CASE NO. 1:08-cv-22-MMP-AK

MICHAEL CHERTOFF, et al.,

Defendant.

REPORT AND RECOMMENDATION

This cause is before the Court on Defendants' motion to dismiss based on mootness and lack of case or controversy. Doc. 21. The evidence attached to the motion shows that Plaintiff has been granted permanent resident status as requested in his complaint. Plaintiff has not responded to the instant motion, and because it appears that he has been granted all of the relief to which he is entitled, the motion to dismiss should be granted.

Accordingly, it is respectfully **RECOMMENDED**:

That the motion to dismiss, Doc. 21, be **GRANTED**;

That this cause be **DISMISSED WITH PREJUDICE**;

That the motion to dismiss, Doc. 13, be **DENIED AS MOOT**.

IN CHAMBERS, at Gainesville, Florida, this 8th day of September, 2008.

S/A.Kornblum

ALLAN KORNBLUM
UNITED STATES MAGISTRATE JUDGE

NOTICE TO THE PARTIES

A party may file specific, written objections to the proposed findings and recommendations within 15 days after being served with a copy of this report and recommendation. A party may respond to another party's objections within 10 days after being served with a copy thereof. Failure to file specific objections limits the scope of review of proposed factual findings and recommendations.