

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

FOOS MAHAMED MAHAMUD,

Plaintiff,

Civil No. 16-2609 (JRT/HB)

v.

DEPARTMENT OF HOMELAND
SECURITY, Nebraska Service Center of
USCIS/DHS, JEFFERSON B. SESSIONS
III,¹ JAMES MCCAMENT, Acting
Director,² and MARK HAZUDA,

Defendants.

**ORDER ON REPORT
AND RECOMMENDATION**

Obi E. Chukwu, **PASCHAL NWOKOCHA & CHUKWU LLC**, 105
Fifth Avenue South, Suite 550, Minneapolis, MN 55401, for plaintiff,

Hans H. Chen, **UNITED STATES DEPARTMENT OF JUSTICE**, Civil
Division Office of Immigration Litigation, District Court Section, P.O. Box
868, Washington, DC 20044, for defendants.

The above-entitled matter came before the Court upon the Report and
Recommendation of the United States Magistrate Judge. No objections have been filed
to the Report and Recommendation in the time period permitted.

Based upon the Report and Recommendation of the Magistrate Judge, and all the
files, records and proceedings herein,

¹ Jefferson B. Sessions III, is now the Attorney General of the United States. Pursuant to
Federal Rule of Civil Procedure Rule 25(d), Jefferson B. Sessions III is substituted for Loretta
Lynch as the Defendant in this action.

² James McCament is now the Acting Director of U.S. Citizenship and Immigration
Services. Pursuant to Federal Rule of Civil Procedure Rule 25(d), James McCament is
substituted for Leon Rodriguez as the Defendant in this action.

IT IS HEREBY ORDERED that:

1. The Report and Recommendation is **ADOPTED**;
2. Defendants' Motion to Dismiss [Doc. No. 9] is **GRANTED**; and
3. Plaintiff's Complaint is **DISMISSED WITH PREJUDICE**.

LET JUDGMENT BE ENTERED ACCORDINGLY.

DATED: June 20, 2017
at Minneapolis, Minnesota

s/John R. Tunheim
JOHN R. TUNHEIM
Chief Judge
United States District Court