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9 Attorneys for Defendants

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6235 So. Pecos Rd., Suite 108  
12 Las Vegas, NV 89120

13 Attorney for Plaintiffs

14 UNITED STATES DISTRICT COURT  
15 DISTRICT OF NEVADA

16 Victor Romero and Ruth Romero,  
17 Plaintiffs,

Case No. 2:10-CV-01725-GMN-LRL

18 v.

19 ERIC HOLDER, Attorney General;  
20 JANET NAPOLITANO, Secretary,  
U.S. Dept. Of Homeland  
21 Security; JOHN T. MORTON,  
Assistant Sec., U.S. Dept. Of  
22 Homeland Security; Daniel G.  
Bogden, United States Attorney,

JOINT STIPULATION AND PROPOSED  
ORDER TO DISMISS PLAINTIFFS'  
COMPLAINT AS MOOT

23 Defendants.

24  
25 Defendants, by and through their attorney, Sherease Pratt, Trial Attorney, United States  
26 Department of Justice, and Plaintiffs, by and through their attorney, Seth Resko, Esq., respectfully  
27 request that this Honorable Court grant the parties' stipulation to dismiss this case with prejudice,  
28 as moot. USCIS has adjudicated Plaintiffs' Form I-130, Petition for Alien Relative, and Form I-

JOINT STIPULATION AND PROPOSED ORDER TO DISMISS  
2:10-CV-01725-GMN-LRL

1 485, Application to Register Permanent Residence or Adjust Status.<sup>1</sup>

2 Plaintiffs will not seek attorney's fees or costs under the Equal Access to Justice Act, or  
3 any other provision of law, associated with the above-captioned matter. Each party will bear its  
4 own costs, expenses, and attorneys' fees incurred in connection with this action.

5 Based on the foregoing, the parties respectfully request that this Court dismiss this matter  
6 as moot as the requested relief has been completed.

7 DATED this 9th day of December, 2010.

8 Respectfully submitted,

Respectfully submitted,

9 TONY WEST  
10 United States Department of Justice  
Assistant Attorney General, Civil Division

11 ELIZABETH J. STEVENS  
12 Assistant Director  
Office of Immigration Litigation


13 /s/ SETH RESKO  
14 SETH RESZKO, ESQ.  
15 Seth L Reszko  
REZA ATHARI & ASSOCIATES  
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13 /s/ SHEREASE PRATT  
14 SHEREASE PRATT  
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sherease.pratt@usdoj.gov

18 Attorney for Plaintiffs

19 Attorneys for Defendants

20  
21 IT IS SO ORDERED this 10th day of December, 2010.

22  
23   
24 \_\_\_\_\_  
Gloria M. Navarro  
25 United States District Judge  
26  
27

28 <sup>1</sup> See attached Exhibits 1 and 2.

I-130, Petition for Alien Relative

**DO NOT WRITE IN THIS BLOCK - FOR USE ONLY**

A# _____ Section of Law/Visa Category <input checked="" type="checkbox"/> 201(b) Spouse - IR-1/CR-1 <input type="checkbox"/> 201(b) Child - IR-2/CR-2 <input type="checkbox"/> 201(b) Parent - IR-5 <input type="checkbox"/> 203(a)(1) Unm. S or D - F1-1 <input type="checkbox"/> 203(a)(2)(A) Spouse - F2-1 <input type="checkbox"/> 203(a)(2)(A) Child - F2-2 <input type="checkbox"/> 203(a)(2)(B) Unm. S or D - F2-4 <input type="checkbox"/> 203(a)(3) Married S or D - F3-1 <input type="checkbox"/> 203(a)(4) Brother/Sister - F4-1	Action Stamp 	F I-130  _____ 07/30/2007 Petition was filed on: _____ (priority date) <input type="checkbox"/> Personal Interview <input type="checkbox"/> Pet. <input type="checkbox"/> Ben. "A" File Reviewed <input type="checkbox"/> Field Investigation <input type="checkbox"/> 203(a)(2)(A) Resolved <input type="checkbox"/> Previously Forwarded <input checked="" type="checkbox"/> I-485 Filed Simultaneously <input type="checkbox"/> 204(g) Resolved <input type="checkbox"/> 203(g) Resolved
Remarks: _____		

**A. Relationship** You are the petitioner. Your relative is the beneficiary.

1. I am filing this petition for my: <input checked="" type="checkbox"/> Husband/Wife <input type="checkbox"/> Parent <input type="checkbox"/> Brother/Sister <input type="checkbox"/> Child	2. Are you related by adoption? <input type="checkbox"/> Yes <input type="checkbox"/> No	3. Did you gain permanent residence through adoption? <input type="checkbox"/> Yes <input type="checkbox"/> No
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**B. Information about you**

1. Name (Family name in CAPS)	(First)	(Middle)
FIERRO	RUTH	MARGARITA
2. Address (Number and Street)		
5829 GOLD HORIZON ST		
(Town or City) (State/Country) (Zip/Postal Code)		
N. LAS VEGAS NV 89031		
3. Place of Birth (Town or City) (State/Country)		
TIJUANA BAJA CALIFORNIA MEXICO		
4. Date of Birth	5. Gender	6. Marital Status
_____	<input type="checkbox"/> Male <input checked="" type="checkbox"/> Female	<input checked="" type="checkbox"/> Married <input type="checkbox"/> Single <input type="checkbox"/> Widowed <input type="checkbox"/> Divorced
7. Other Names Used (including maiden name)		
NONE		
8. Date and Place of Present Marriage (if married)		
02/24/1999 PLAYAS DEL ROSARIO B.C MEXICO		
9. U.S. Social Security (if any)	10. Alien Registration Number	
_____	N/A	
11. Name(s) of Prior Husband(s)/Wife(s)	12. Date(s) Marriage(s) Ended	
N/A		

**C. Information about your relative**

1. Name (Family name in CAPS)	(First)	(Middle)
ROMERO	VICTOR	MANUEL
2. Address (Number and Street)		
5829 GOLD HORIZON ST		
(Town or City) (State/Country) (Zip/Postal Code)		
LAS VEGAS NV 89031		
3. Place of Birth (Town or City) (State/Country)		
AGUASCALIENTES AGUASCALIENTES MEXICO		
4. Date of Birth	5. Gender	6. Marital Status
_____	<input checked="" type="checkbox"/> Male <input type="checkbox"/> Female	<input checked="" type="checkbox"/> Married <input type="checkbox"/> Single <input type="checkbox"/> Widowed <input type="checkbox"/> Divorced
7. Other Names Used (including maiden name)		
NONE		
8. Date and Place of Present Marriage (if married)		
02/24/99 PLAYAS DEL ROSARIO B.C MEXICO		
9. U.S. Social Security (if any)	10. Alien Registration Number	
NONE	NONE	
11. Name(s) of Prior Husband(s)/Wife(s)	12. Date(s) Marriage(s) Ended	
N/A		

13. If you are a U.S. citizen, complete the following:

My citizenship was acquired through (check one):

Birth in the U.S.

Naturalization. Give certificate number and date and place of issuance.  
 \_\_\_\_\_ 01/25/00 POMONA CA

Parents. Have you obtained a certificate of citizenship in your own name?  
 Yes. Give certificate number, date and place of issuance.    No

14. If you are a lawful permanent resident alien, complete the following:

Date and place of admission for or adjustment to lawful permanent residence and class of admission.  
 N/A

14b. Did you gain permanent resident status through marriage to a U.S. citizen or lawful permanent resident?  
 Yes    No

13. Has your relative ever been in the U.S.?    Yes    No

14. If your relative is currently in the U.S., complete the following:

He or she arrived as a:  
 (visitor, student, stowaway, without inspection, etc.)

Arrival/Departure Record (I-94)	Date arrived
	05/1999

Date authorized stay expired, or will expire, as shown on Form I-94 or I-95

15. Name and address of present employer (if any)  
 SELF/EMPLOYEE

Date this employment began \_\_\_\_\_

16. Has your relative ever been under immigration proceedings?

No    Yes Where \_\_\_\_\_ When \_\_\_\_\_

Removal    Exclusion/Deportation    Rescission    Judicial Proceedings

INITIAL RECEIPT	RESUBMITTED	RELOCATED: Rec'd	Sent	COMPLETED: App'vd	Denied	Ret'd
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**C. Information about your alien relative (continued)**

**17. List husband/wife and all children of your relative.**

(Name)	(Relationship)	(Date of Birth)	(Country of Birth)
RUTH FIERRO	WIFE	[REDACTED]	MEXICO
V [REDACTED] R [REDACTED]	SON	[REDACTED]	USA
A [REDACTED] R [REDACTED]	DAUGHTER	[REDACTED]	USA

**18. Address in the United States where your relative intends to live.**

(Street Address) 5829 GOLD HORIZON ST (Town or City) N. LAS VEGAS (State) NEVADA

**19. Your relative's address abroad. (Include street, city, province and country)**

Phone Number (if any)

**20. If your relative's native alphabet is other than Roman letters, write his or her name and foreign address in the native alphabet.**

(Name) N/A Address (Include street, city, province and country):

**21. If filing for your husband/wife, give last address at which you lived together. (Include street, city, province, if any, and country):**

VICTOR

From: To:

**22. Complete the information below if your relative is in the United States and will apply for adjustment of status.**

Your relative is in the United States and will apply for adjustment of status to that of a lawful permanent resident at the USCIS office in:

If your relative is not eligible for adjustment of status, he or she will apply for a visa abroad at the American consular post in:

LAS VEGAS NEVADA USA  
 (City) (State) (City) (Country)

NOTE: Designation of an American embassy or consulate outside the country of your relative's last residence does not guarantee acceptance for processing by that post. Acceptance is at the discretion of the designated embassy or consulate.

**D. Other information**

**1. If separate petitions are also being submitted for other relatives, give names of each and relationship.**

N/A

**2. Have you ever before filed a petition for this or any other alien?  Yes  No**

If "Yes," give name, place and date of filing and result.

**WARNING:** USCIS investigates claimed relationships and verifies the validity of documents. USCIS seeks criminal prosecutions when family relationships are falsified to obtain visas.

**PENALTIES:** By law, you may be imprisoned for not more than five years or fined \$250,000, or both, for entering into a marriage contract for the purpose of evading any provision of the immigration laws. In addition, you may be fined up to \$10,000 and imprisoned for up to five years, or both, for knowingly and willfully falsifying or concealing a material fact or using any false document in submitting this petition.

**YOUR CERTIFICATION:** I certify, under penalty of perjury under the laws of the United States of America, that the foregoing is true and correct. Furthermore, I authorize the release of any information from my records that the U.S. Citizenship and Immigration Services needs to determine eligibility for the benefit that I am seeking.

**E. Signature of petitioner.**

*Ruth Fierro*

Date 7/18/07 Phone Number 702-767-5516

**F. Signature of person preparing this form, if other than the petitioner.**

I declare that I prepared this document at the request of the person above and that it is based on all information of which I have any knowledge.

Print Name \_\_\_\_\_ Signature \_\_\_\_\_ Date \_\_\_\_\_  
 Address \_\_\_\_\_ G-28 ID or VOLAG Number, if any. \_\_\_\_\_