XAVIER GONZALES ATTORNET ATLAW APROFESSIONAL CORPORATION 528 S. Cusino Cuttur Blad. 529 S. Cusino Cuttur Blad. 529 S. Cusino Cuttur Blad. 529 S. Cusino Cuttur Blad. 520 S. Cusino Cutt	XAVIER GONZALES, ESQ. Nevada Bar No.:1862 528 S. Casino Center, Ste. 205 Las Vegas, Nevada 89101 (702) 388-8182 Attorney for Plaintiff  UNITED STATES DISTRICT COURT  DISTRICT OF NEVADA  DANIEL BAYEHU CHEKOL  Plaintiffs,  V.  Case No. 2:13-cv-01010 Plaintiffs,  INS No. A#077 340 0672  V.  NON DETAINED  THE UNITED STATES OF AMERICA,  Janet NAPOLITANO, in her Official Capacity, Secretary, Department of Homeland Security  Eric HOLDER, Jr., in his Official Capacity, Attorney General, Department of Justice,  Alejandro MAYORKAS, in his Official Capacity,  Alejandro MAYORKAS, in his Official Capacity,  Alejandro MAYORKAS, in his Official Capacity,  Alejandro MAYORKAS, in his Official Capacity,			
18 (102)	Homeland Security,  David ROARK, in his Official Capacity,	)		
19 20	Officer in Charge, Department of Homeland Security Mesquite, Texas Service Center (USCIS Local),	) )		
21	Defendants.	Ĺ		
22	PETITIONER'S NOTICE OF VOLUNTARY DISMISSAL OF PETITION FOR WRIT OF MANDAMUS WITHOUT PREJUDICE			
23	AND ORDER			
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	1	COMES NOW, Petitioner, DANIEL BAYEHU CHEKOL, by and through counsel				
	2	XAVIER GONZALES, ESQ., and hereby files this Petitioner's Notice of Voluntary				
	3	Dismissal of Petition for Writ of Mandamus Without Prejudice.				
4 5 6	4	This Motion is based on the Points and Authorities attached hereto.				
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	6	DATED this <u>16<sup>th</sup></u> day of <u>March</u> , <u>2015</u>				
	7		By:	/s/Xavier Gonzales, Esq. XAVIER GONZALES, ESQ.		
	8			Nevada Bar No.: 1862 528 S. Casino Center Blvd., Ste. 215		
	9			Las Vegas, NV 89101 (702) 388-8182		
	10	5		Attorney for Petitioner		
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## POINTS AND AUTHORITIES

## I. **BACKGROUND**

The Petitioner, DANIEL BAYEHU CHEKOL, filed a Complaint for Relief in the Nature of Mandamus on June 6, 2013 in the United States District Court, District of Nevada requesting the Petitioner's I-485 Application to Adjust Status, which had been pending with USCIS since approximately 2005, be adjudicated by USCIS. On August 20, 2014, USCIS conducted an interview with Petitioner on the I-485. On December 8, 2014, USCIS adjudicated the I-485 Application to Adjust Status and issued a decision denying the Application.

## **CONCLUSION** II.

WHEREFORE, as a result of the adjudication of Petitioner's I-485 Application to Adjust Status, the instant Petition for Writ of Mandamus is moot and the Petitioner respectfully requests this court issue an order dismissing the instant petition, without prejudice.

DATED this 16<sup>th</sup> day of March, 2015.

By:

/s/Xavier Gonzales

XAVIER GONZALES, ESQ.

Nevada Bar No.: 1862

528 S. Casino Center Blvd., Ste. 205

Las Vegas, NV 89101

(702) 388-8182

Attorney for Petitioner

IT IS SO ORDERED.

Gloria M. Navarro, Chief Judge United States District Court

**DATED: 03/30/2015** 

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