



a *Bivens* claim.” *Id.* at \*3, n.3 (internal cits. omitted). Unlike the consideration of an asylum petition, the “decision” whether to deport a U.S. citizen is not a matter of “diplomacy, foreign policy, and the security of the nation.” *Id.* at \*4. Given what happened to Plaintiff Mark Lyttle, and given the submissions already made in the instant case, Plaintiff should not need to point out, once again, that **he is and always has been a United States Citizen**. Whether or not the Ninth Circuit recognizes the right of Iranian citizens to sue the U.S. government for their detention during asylum proceedings, Plaintiff already has demonstrated in its briefing that U.S. citizens absolutely do have legal recourse for their wrongful detention and deportation.

Respectfully submitted this 7<sup>th</sup> day of November, 2011.

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CERTIFICATE OF SERVICE

I hereby certify that on November 7, 2011, I electronically filed the preceding **PLAINTIFF'S RESPONSE TO FEDERAL DEFENDANTS' NOTICE OF SUPPLEMENTAL AUTHORITY** with the Clerk of Court using the CM/ECF system which will automatically send email notification of such filing to all parties of record.

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