

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

RAFAEL FELLOVE,)
Plaintiff,) Civil Action No. 3:16-cv-0213
v.)
JANET NAPOLITANO, Secretary of DHS,) United States Magistrate Judge
ALEJANDRO MAYORKAS Director of) Cynthia Reed Eddy
USCIS, and OFFICER CAMACHO,)
USCIS Field Office, Chicago,)
Defendant.)

ORDER DISMISSING CASE AS MOOT¹

On October 5, 2016, Plaintiff, Rafael Fellove, filed a Petition for Writ of Mandamus asking the Court to order the United States Citizenship and Immigration Service (“USCIS”) to act on his pending Form N-400, Application for Naturalization and administer an Oath of Citizenship to become a United States Citizen.

On April 27, 2017, Defendants filed a Motion to Dismiss (ECF No. 13) in which they state that the case is now moot because “[o]n April 6, 2017, the USCIS adjudicated Plaintiff’s naturalization application and denied citizenship because Plaintiff lacked the requirements of lawful permanent residency and good moral character.” Attached to the motion is a copy of the Decision of the USCIS dated April 6, 2017.

The Court ordered Plaintiff to respond to the motion by June 5, 2017, and to date, no response has been filed.

¹ The parties have consented to jurisdiction by the undersigned Magistrate Judge. See ECF Nos. 16 and 17.

Given that Plaintiff's Application for Naturalization has been adjudicated, Plaintiff's action is now moot. *See Donovan ex rel. Donovan v. Punxsutawney Area Sch. Bd.*, 336 F.3d 211, 216 (3d Cir. 2003) ("A case is moot when the issues presented are no longer 'live' or the parties lack a legally cognizable interest in the outcome . . . if developments occur during the court of adjudication that eliminate a plaintiff's personal stake in the outcome of a suit or present a court from being able to grant the requested relief, the case must be dismissed as moot.")

Accordingly, Defendants' motion is granted and this case is hereby **DISMISSED AS MOOT.**

So **ORDERED** this 14th day of June, 2017.

s/Cynthia Reed Eddy
Cynthia Reed Eddy
United States Magistrate Judge

cc: RAFAEL FELLOVE
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