

1  
2  
3  
4  
5  
6 UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
7 AT SEATTLE

8 FRANCISCO JAIR AGUILAR MENDEZ,

9 Plaintiff-Petitioner,

10 v.

11 KIRSTJEN M. NIELSEN, et al.,

12 Defendants-Respondents.

CASE NO. C18-98-JCC-BAT

**REPORT AND  
RECOMMENDATION**

13 This is a petition for writ of mandamus. The parties have filed a joint stipulation seeking  
14 a court order dismissing this action with prejudice and without an award of costs or fees to either  
15 party based on USCIS's issuance of a Notice of Intent to Deny and its agreement to issue a final  
16 decision on Plaintiff-Petitioner's Application to Register Permanent Residence or Adjust Status  
17 (Form I-485) within 45 days of its receipt of his response to the Notice of Intent to Deny. Dkt. 4.  
18 The parties further request that the Court retain jurisdiction over this action if necessary to  
19 enforce the terms of their agreement. *Id.*

20 The Court recommends that the joint stipulation, Dkt. 4, be **GRANTED** immediately,  
21 and this action be **DISMISSED** with prejudice and without an award of costs or fees to either  
22 party. The Court further recommends that jurisdiction be retained over the action to enforce the  
23 terms of the parties' agreement, if necessary. A proposed Order accompanies this Report and

1 Recommendation.

2 The Clerk is directed to note this matter as immediately ready for the consideration of the

3 Honorable John C. Coughenour.

4 DATED this 10th day of April, 2018.

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23



---

BRIAN A. TSUCHIDA  
United States Magistrate Judge