

1 Chief District Judge Ricardo S. Martinez  
2  
3  
4  
5  
6  
7

8 UNITED STATES DISTRICT COURT  
9 WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

10 ELIZABETH JEAN FLEENOR, *et al.*,

No. 21-cv-782-RSM

11 Plaintiffs,

**STIPULATED MOTION TO  
DISMISS AND ORDER**

12 v.

Noted for Consideration:  
September 7, 2021

13 TERRI A. ROBINSON, *et al.*,

14  
15 Defendants.

16 Plaintiffs bring this litigation seeking, *inter alia*, to compel the U.S. Citizenship and  
17 Immigration Services (“USCIS”) to set aside its denial of Plaintiff Faide’s Form I-485 application  
18 and to adjudicate Plaintiff’s work and travel applications. Dkt. No. 1. On June 28, 2021, USCIS  
19 voluntarily reopened Plaintiff’s Form I-485 for entry of a new decision and approved Plaintiff’s  
20 work and travel applications. As a result of the reopening, Plaintiff’s Form I-485 was interview  
21 ready as of February 17, 2021. Defendants agree that Plaintiff’s Form I-485 will be scheduled for  
22 interview at least as rapidly as other family based INA 245(a) cases interview ready on February  
23 17, 2021, and that the delays associated with the USCIS denial and subsequent reopening of this  
24 case will not result in any delays in the interview date.  
25  
26  
27

STIPULATED MOTION TO DISMISS  
(21-cv-00782 RSM)

UNITED STATES ATTORNEY  
700 STEWART STREET, SUITE 5220  
SEATTLE, WASHINGTON 98101  
(206) 553-7970

1 The above-captioned action having been resolved, all parties, through their undersigned  
2 counsel and respective attorneys of record, now hereby stipulate to the dismissal without prejudice,  
3 with each party to bear their own fees or costs.

4 Dated: September 7, 2021

Respectfully submitted,

5 TESSA M. GORMAN  
6 Acting United States Attorney

7 /s/Michelle R. Lambert  
8 MICHELLE R. LAMBERT, NYS #4666657  
9 Assistant United States Attorney  
10 United States Attorney's Office  
11 1201 Pacific Avenue, Suite 700  
12 Tacoma, Wa 98402  
13 Phone: 206-428-3824  
14 Email: [michelle.lambert@usdoj.gov](mailto:michelle.lambert@usdoj.gov)

*Attorneys for Defendants*

13 /s/ Devin T. Theriot-Orr  
14 DEVIN T. THERIOT-ORR,  
15 WSBA # 33995  
16 Open Sky Law, PLLC  
17 20415 72nd Ave S., Suite 110  
18 Kent, WA 98032  
19 Telephone: (206) 962-5052  
20 Email: [devin@opensky.law](mailto:devin@opensky.law)

*Attorneys for Plaintiffs*

**ORDER**

It is so **ORDERED**. The case is dismissed without prejudice.

DATED this 8<sup>th</sup> day of September, 2021.



RICARDO S. MARTINEZ  
CHIEF UNITED STATES DISTRICT JUDGE

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27