

UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

JOSEPH NJAU MUHIA,

Case No. 3:24-cv-06048-TMC

Plaintiff,

STIPULATED MOTION TO HOLD
CASE IN ABEYANCE AND
ORDER

KIKI SCOTT, *et al.*,¹

Noted for Consideration
March 3, 2025

Plaintiff and Defendants, by and through their counsel of record, pursuant to Federal Rule of Procedure 6 and Local Rules 7(d)(1), 10(g) and 16, hereby jointly stipulate and move to close these proceedings until September 3, 2025. Plaintiff brought this litigation pursuant to the Administrative Procedure Act and Mandamus Act seeking, *inter alia*, to compel the U.S. Citizenship and Immigration Services (“USCIS”) to adjudicate his Form I-589, Application for Asylum and for Withholding of Removal. Defendants’ response to the Complaint is currently pending. The parties are currently working towards a resolution to this litigation. On March 10, 2025.

¹ Pursuant to Federal Rule of Civil Procedure 25(d), Defendants substitute Senior Official Performing the Duties of the Director Kika Scott for former Director Ur Jaddou and Secretary Kristi Noem for former Secretary Alejandro Mayorkas.

STIPULATED MOTION FOR ABEYANCE
[Case No. 3:24-cv-06048-TMC] - 1

UNITED STATES ATTORNEY
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1 For good cause, the parties request that the Court hold the case in abeyance until September 3,
2 2025.

3 Courts have “broad discretion” to stay proceedings. *Clinton v. Jones*, 520 U.S. 681, 706
4 (1997). “[T]he power to stay proceedings is incidental to the power inherent in every court to
5 control the disposition of the causes on its docket with economy of time and effort for itself, for
6 counsel, and for litigants.” *Landis v. N. Am. Co.*, 299 U.S. 248, 254 (1936); *see also* Fed. R. Civ.
7 P. 1.

8 With additional time, this case may be resolved without the need of further judicial
9 intervention. USCIS has scheduled Plaintiff’s asylum interview for May 6, 2025. USCIS agrees
10 to diligently work towards completing the adjudication within 120 days of the interview, absent
11 unforeseen or exceptional circumstances that would require additional time for adjudications. If
12 the adjudication is not completed within that time, USCIS will provide a status report to the
13 Court. Plaintiff will submit all supplemental documents and evidence, if any, to USCIS seven to
14 ten days prior to the interview date. Plaintiff recognizes that failure to submit documents prior to
15 the interview may require the interview to be rescheduled and the adjudication delayed. If
16 needed, Plaintiff will bring an interpreter to the interview, otherwise the interview will need to be
17 rescheduled, and the adjudication delayed. After the interview, USCIS will need time to
18 adjudicate Plaintiff’s asylum application. Once the application is adjudicated, Plaintiff will
19 dismiss the case with each party to bear their own litigation costs and attorneys’ fees.
20 Accordingly, the parties request this abeyance to allow USCIS to conduct Plaintiff’s asylum
21 interview and then process his asylum applications.

22 As additional time is necessary for this to occur, the parties request that the Court hold
23 the case in abeyance until September 3, 2025. The parties will submit a joint status report on or
24 before September 3, 2025.

1 DATED this 3rd day of March, 2025.

2 Respectfully submitted,

3 TEAL LUTHY MILLER
Acting United States Attorney

4
s/ Michelle R. Lambert
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10 Attorneys for Defendants

11 *I certify that this memorandum contains 412
words, in compliance with the Local Civil Rules.*

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ORDER

2 The case is held in abeyance until September 3, 2025. The parties shall submit a joint
3 status report on or before September 3, 2025. It is so **ORDERED**.

5 DATED this 10th day of March, 2025.

tiny letter

Tiffany M. Cartwright
United States District Judge