



Alnabi v. Gonzales

2006 | Cited 0 times | D. Minnesota | October 18, 2006

REPORT AND RECOMMENDATION

The above-entitled matter came before the court upon the Report and Recommendation of the United States Magistrate Judge. No objections have been filed to that Report and Recommendation in the time period permitted.

Based upon the Report and Recommendation of the Magistrate Judge, and all the files, records and proceedings herein,

IT IS ORDERED that:

(1) Defendants' Motion to Remand Or, Alternatively, to Dismiss (Doc. No. 4) is GRANTED IN PART and DENIED IN PART, and pursuant to 8 U.S.C. § 1447(b), the Plaintiff's Petition for Hearing on Naturalization Application is REMANDED to the United States Citizenship and Immigration Service with the instructions that USCIS issue a determination on plaintiff's naturalization application within 150 days of the date of the District Judge's order;

(2) Defendants are ordered to show cause to this court for any failure to comply with the substance of the court's order and to do so within 30 days of the expiration of the 150-day deadline set forth herein; and

(3) Plaintiff's claim for mandamus is stayed during the pendency of USCIS's compliance with the substance of the court's order.

