UNITED STATES DISTRICT COURT EASTERN DISTRICT OF PENNSYLVANIA

,)
Plaintiff,) Case No.
v.	Judge: O'Neill
Alejandro Mayorkas, as Director of U.S. Citizenship and Immigration Services, in his official capacity; Tony Bryson, as District Director of U.S. Citizenship and Immigration Services for Pennsylvania, Delaware, and West Virginia; in his official capacity; Angela Klapakis, Philadelphia Field Office Director for U.S. Citizenship and Immigration Services; in her official capacity; Robert Mueller, as Director of the Federal Bureau))))))))))))))
of Investigation, in his official capacity; John J. Brosnan, as Acting Special Agent in Charge of the Federal Bureau of Investigation Philadelphia Division, in his official capacity; Eric Holder, as Attorney General of the U.S. Janet Napolitano, as Secretary of the Department of Homeland Security, in her official capacity;)))))))))
Defendants)

PLAINTIFF'S MOTION TO WITHDRAW COMPLAINT AS MOOT

Plaintiff ("Plaintiff"), by and through undersigned counsel, respectfully requests that this court grant him permission to withdraw as moot "PLAINTIFF'S COMPLAINT FOR MANDAMUS AND INJUNCTIVE RELIEF" ("complaint"). In support of this motion, Plaintiff asserts the following:

- 1. On ______, 2013, Plaintiff filed his complaint in this matter alleging that defendants, collectively, either failed or refused to adjudicate the "Form I-751, Petition to Remove the Conditions of Residence" ("immigration petition") which he timely filed on ______, 2006.¹
- 2. On ______, 2013,² USCIS rendered a decision adjudicating the immigration petition which Plaintiff had timely filed almost seven (7) years previously. Shortly thereafter, Plaintiff received a "I-797, Notice of Action" ("Notice") advising him of this favorable adjudication and advising him that he should expect to receive his green card "within 60 days." A copy of the Notice is attached as "Exhibit A."
- 3. On ______, 2013, Plaintiff's counsel mailed letters to the court, and all named defendants, indicating that Plaintiff had received such Notice and that Plaintiff would withdraw his complaint in this matter if, and when, his complaint becomes moot. Copies of that correspondence are attached as "Exhibit B" and "Exhibit C," respectively.
- 4. On ______, 2013, Plaintiff's counsel received verification that Plaintiff had received his green card, thus rendering his complaint in this matter moot. A copy of Plaintiff's green card is attached as "Exhibit D."

As reflected in the court docket, the United States Attorney's Office accepted service of the Complaint of 2013. In addition, as reflected by the Proof of Service Plaintiff filed with this court, a hard copy of the complaint was sent to all defendants by certified mail return receipt requested on 2013, and was received by the Philadelphia Office of defendant U.S. Citizenship and Immigration Services ("USCIS") on 2013.

² Defendant USCIS adjudicated Plaintiff's immigration petition on 2013. At the time of this filing, there is no evidence that the filing of the complaint in this matter prompted the adjudication of Plaintiff's immigration petition.

Conclusion

On 2013, the immigration petition Plaintiff timely filed on 2006,		
was adjudicated, and, as a result, Plaintiff has obtained the relief sought in his complaint.		
WHEREFORE, for the reasons stated above, Plaintiff		
respectfully requests that this Honorable Court grant him permission to withdraw as		
moot "PLAINTIFF'S COMPLAINT FOR MANDAMUS AND INJUNCTIVE RELIEF."		
Respectfully submitted,		
,		
BY COUNSEL:		

Amara S. Chaudhry, Esquire CAIR-Philadelphia 1218 Chestnut Street, Suite 510 Philadelphia, PA 19107

Tel: (215) 592-0509 Fax: (267) 318-7304

Email: achaudhry@cair.com

UNITED STATES DISTRICT COURT EASTERN DISTRICT OF PENNSYLVANIA

,)	
Plaintiff,) Case No.	
v.) Judge: O'Neill	
Alejandro Mayorkas, as Director of U.S. Citizenship and Immigration Services, in his official capacity; Tony Bryson, as District Director of U.S. Citizenship and Immigration Services for Pennsylvania, Delaware, and West Virginia; in his official capacity; Angela Klapakis, Philadelphia Field Office Directo for U.S. Citizenship and Immigration Services; in her official capacity; Robert Mueller, as Director of the Federal Bureau of Investigation, in his official capacity; John J. Brosnan, as Acting Special Agent in Charge of the Federal Bureau of Investigation Philadelphia Division, in his official capacity; Eric Holder, as Attorney General of the U.S. Janet Napolitano, as Secretary of the Department of Homeland Security, in her official capacity; Defendants.)))	
CERTIFICATE OF SERVICE		
I hereby certify that this motion was served on all Defendants via the court's Electronic		
Case Filing ("ECF") system and a copy was sent by first-class mail to all defendants and to the		
U.S. Attorney's Office for the Eastern District of Pennsylvania.		
Amara S. Chaudhry, Esquire 1218 Chestnut Street, Suite 510 Philadelphia, PA 19107 Attorney for Plaintiff	Date	