

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
JACKSONVILLE DIVISION**

MENSUR MASNOPITA,

Plaintiff,

v.

Case No. 3:18-cv-468-J-32JRK

JEFFERSON B. SESSIONS,
Attorney General of the United
States, KIRSTJEN M. NIELSEN,
Secretary, Department of Homeland
Security, KATHY BARANOWSKI,
District Director, Southeast Region,
U.S. Citizenship and Immigration
Services, LISA BRADLEY,
Jacksonville Field Director, U.S.
Citizenship and Immigration
Services, and CHRISTOPHER
WRAY, Director, Federal Bureau of
Investigation,

Defendants.

ORDER

This case is before the Court on Defendants' Consent Motion for Remand (Doc. 4), wherein Defendants request that the Court remand this matter to the United States Citizenship and Immigration Services ("USCIS") to adjudicate Plaintiff's Pending N-400 Application for Naturalization within sixty days. Plaintiff consents to the relief requested. (Doc. 4 at 4).

On December 23, 2014, Plaintiff filed his N-400 Application for Naturalization with USCIS. (Doc. 1 ¶ 3). Plaintiff completed his biometric appointments required for his background checks, and attended his Naturalization interview on March 29, 2017. (Doc. 1 ¶ 4). Not having received a determination on his application, Plaintiff filed this action on April 9, 2018. (Doc. 1).

The USCIS is required to perform examinations on applicants to determine their eligibility for citizenship. 8 U.S.C. § 1446 (2012). “The employee designated to conduct any such examination shall make a determination as to whether the application should be granted” § 1446(d). However, § 1447 allows an applicant to seek a hearing before the district court if USCIS has failed to make a determination 120 days after the date of the examination. § 1447(b). The district court “may either determine the matter or remand the matter, with appropriate instructions, to [USCIS] to determine the matter.” § 1447.

Here, Defendants assert that USCIS has a scheduled interview with Plaintiff on May 24, 2018, and that the matter should be remanded to USCIS so the interview can proceed.

Accordingly, it is hereby

ORDERED:

1. Defendants’ Consent Motion for Remand (Doc. 4) is **GRANTED**.

2. This case is **REMANDED** to the United States Citizenship and Immigration Services. USCIS shall conduct the scheduled interview on May 24, 2018, and shall adjudicate Plaintiff's N-400 Application for Naturalization not later than **July 18, 2018**.

3. The Clerk should close the file. If a decision is not rendered within the time required by this Order, Plaintiff may file a motion to reopen this action.

DONE AND ORDERED in Jacksonville, Florida this 17th day of May, 2018.



TIMOTHY J. CORRIGAN
United States District Judge

jb

Copies to:

Counsel of record