Case: 3:18-cv-135 As of: 01/28/2020 10:11 AM PST 1 of 9

APPEAL, CLOSED, SEALDC

U.S. District Court Southern District of California (San Diego) CIVIL DOCKET FOR CASE #: 3:18-cv-00135-AJB-AGS

Thuraissigiam v. U.S. Department of Homeland Security et al

Assigned to: Judge Anthony J. Battaglia

Referred to: Magistrate Judge Andrew G. Schopler

Case in other court: USCA, 18-55313

Supreme Court of the United States,

19-00161

Cause: 08:1231(a) Immigration: Due Process Clause

Plaintiff

Vijayakumar Thuraissigiam

Date Filed: 01/19/2018 Date Terminated: 03/08/2018

Jury Demand: None

Nature of Suit: 463 Habeas Corpus – Alien

Jurisdiction: U.S. Government Defendant

represented by Cody H. Wofsy

ACLU Immigants' Rights Project 39 Drumm Street

San Francisco, CA 94111 415-343-0774 x0785 Fax: 415-395-0950 Email: cwofsy@aclu.org LEAD ATTORNEY

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V.

Defendant

U.S. Department of Homeland Security ("DHS")

represented by US Attorney CV

U S Attorneys Office Southern District of California

Civil Division

Case: 3:18-cv-135 As of: 01/28/2020 10:11 AM PST 2 of 9

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LEAD ATTORNEY

ATTORNEY TO BE NOTICED

Defendant

U.S. Customs and Border Protection *(CBP)*

represented by US Attorney CV

(See above for address)

LEAD ATTORNEY

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Joshua Samuel Press (See above for address) LEAD ATTORNEY ATTORNEY TO BE NOTICED

Defendant

U.S. Citizenship and Immigration Services (USCIS) represented by US Attorney CV

(See above for address)

LEAD ATTORNEY

ATTORNEY TO BE NOTICED

Joshua Samuel Press (See above for address) LEAD ATTORNEY ATTORNEY TO BE NOTICED

Defendant

U.S. Immigration and Customs Enforcement (ICE)

represented by US Attorney CV

(See above for address)

LEAD ATTORNEY

ATTORNEY TO BE NOTICED

Joshua Samuel Press (See above for address) LEAD ATTORNEY ATTORNEY TO BE NOTICED

Defendant

Kirtjen Nielsen Secretary of DHS represented by US Attorney CV

(See above for address)

LEAD ATTORNEY

ATTORNEY TO BE NOTICED

Joshua Samuel Press (See above for address)

Case: 3:18-cv-135 As of: 01/28/2020 10:11 AM PST 3 of 9

LEAD ATTORNEY ATTORNEY TO BE NOTICED

Defendant

Jefferson Beauregard Sessions, III

Attorney General of the United States

represented by US Attorney CV

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ATTORNEY TO BE NOTICED

Joshua Samuel Press

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Defendant

Kevin K. McAleenan

Acting Commissioner of CBP

represented by US Attorney CV

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ATTORNEY TO BE NOTICED

Joshua Samuel Press

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ATTORNEY TO BE NOTICED

Defendant

Thomas Homan

Acting Director of ICE

represented by US Attorney CV

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ATTORNEY TO BE NOTICED

Joshua Samuel Press

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Defendant

L. Francis Cissna

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ATTORNEY TO BE NOTICED

Defendant

Pete Flores

San Diego Field Director, CBP

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Joshua Samuel Press

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ATTORNEY TO BE NOTICED

Defendant

Gregory Archambeault

San Diego Field Office Director, ICE

represented by US Attorney CV

(See above for address)

Case: 3:18-cv-135 As of: 01/28/2020 10:11 AM PST 4 of 9

LEAD ATTORNEY ATTORNEY TO BE NOTICED

Joshua Samuel Press (See above for address) LEAD ATTORNEY ATTORNEY TO BE NOTICED

Defendant

Fred Figueroa Warden, Otay Mesa Detention Center represented by **Joshua Samuel Press** (See above for address) *LEAD ATTORNEY*

ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
01/19/2018	1	Petition for Writ of Habeas Corpus against Gregory Archambeault, L. Francis Cissna, Fred Figueroa, Pete Flores, Thomas Homan, Kevin K. McAleenan, Kirtjen Nielsen, Jefferson Beauregard Sessions, III, U.S. Citizenship and Immigration Services, U.S. Customs and Border Protection, U.S. Department of Homeland Security, U.S. Immigration and Customs Enforcement (Filing fee \$ 5 receipt number 0974–10828736.), filed by Vijayakumar Thuraissigiam. (Attachments: # 1 Civil Cover Sheet)
		The new case number is 3:18–cv–135–L–AGS. Judge M. James Lorenz and Magistrate Judge Andrew G. Schopler are assigned to the case. (Wofsy, Cody) (lrc) Modified to remove screening text . (jao). (Entered: 01/19/2018)
01/19/2018	<u>2</u>	Summons Issued. Counsel receiving this notice electronically should print this summons and serve it in accordance with Rule 4, Fed.R.Civ.P and LR 4.1. (lrc) (dsn) (jao). (Entered: 01/19/2018)
01/31/2018	<u>3</u>	NOTICE of Appearance by John David Loy on behalf of Vijayakumar Thuraissigiam (Attachments: # 1 Proof of Service)(Loy, John)Attorney John David Loy added to party Vijayakumar Thuraissigiam(pty:pla) (dsn). (Entered: 01/31/2018)
02/05/2018	<u>4</u>	SUMMONS Returned Executed by Vijayakumar Thuraissigiam. Kirtjen Nielsen served. (Wofsy, Cody) (dsn). (Entered: 02/05/2018)
02/05/2018	<u>5</u>	SUMMONS Returned Executed by Vijayakumar Thuraissigiam. Gregory Archambeault served. (Wofsy, Cody) (dsn). (Entered: 02/05/2018)
02/05/2018	<u>6</u>	SUMMONS Returned Executed by Vijayakumar Thuraissigiam. U.S. Immigration and Customs Enforcement served. (Wofsy, Cody)(dsn). (Entered: 02/05/2018)
02/05/2018	7	SUMMONS Returned Executed by Vijayakumar Thuraissigiam. Kevin K. McAleenan served. (Wofsy, Cody) (dsn). (Entered: 02/05/2018)
02/05/2018	<u>8</u>	SUMMONS Returned Executed by Vijayakumar Thuraissigiam. U.S. Department of Homeland Security served. (Wofsy, Cody) (dsn). (Entered: 02/05/2018)
02/05/2018	9	SUMMONS Returned Executed by Vijayakumar Thuraissigiam. U.S. Customs and Border Protection served. (Wofsy, Cody) (dsn). (Entered: 02/05/2018)
02/05/2018	<u>10</u>	SUMMONS Returned Executed by Vijayakumar Thuraissigiam. Thomas Homan served. (Wofsy, Cody) (dsn). (Entered: 02/05/2018)
02/05/2018	11	SUMMONS Returned Executed by Vijayakumar Thuraissigiam. Pete Flores served. (Wofsy, Cody) (dsn). (Entered: 02/05/2018)
02/05/2018	<u>12</u>	SUMMONS Returned Executed by Vijayakumar Thuraissigiam. L. Francis Cissna served. (Wofsy, Cody) (dsn). (Entered: 02/05/2018)
02/05/2018	<u>13</u>	SUMMONS Returned Executed by Vijayakumar Thuraissigiam. U.S. Citizenship and Immigration Services served. (Wofsy, Cody) (Entered: 02/05/2018)

Case: 3:18-cv-135 As of: 01/28/2020 10:11 AM PST 5 of 9

02/05/2018	<u>14</u>	SUMMONS Returned Executed by Vijayakumar Thuraissigiam. Fred Figueroa served. (Wofsy, Cody) (dsn). (Entered: 02/05/2018)
02/05/2018	<u>15</u>	SUMMONS Returned Executed by Vijayakumar Thuraissigiam. Jefferson Beauregard Sessions, III served. (Wofsy, Cody) (dsn). (Entered: 02/05/2018)
02/06/2018	<u>16</u>	Request to Appear Pro Hac Vice (Filing fee received: \$ 206 receipt number 0974–10889082.)(Gelernt, Lee)(QC Mailer; missing signature.)(jrd). (Entered: 02/06/2018)
02/07/2018	<u>17</u>	NOTICE of Appearance by Jennifer C. Newell on behalf of Vijayakumar Thuraissigiam (Newell, Jennifer)Attorney Jennifer C. Newell added to party Vijayakumar Thuraissigiam(pty:pet) (dsn). (Entered: 02/07/2018)
02/08/2018	<u>18</u>	Request to Appear Pro Hac Vice (Filing fee received: \$ 206 receipt number 0974–10889082 re: Doc. No. 16) (Gelernt, Lee)(jrd) (Entered: 02/08/2018)
02/09/2018	<u>19</u>	NOTICE of Appearance by Joshua Samuel Press on behalf of Gregory Archambeault, L. Francis Cissna, Fred Figueroa, Pete Flores, Thomas Homan, Kevin K. McAleenan, Kirtjen Nielsen, Jefferson Beauregard Sessions, III, U.S. Citizenship and Immigration Services, U.S. Customs and Border Protection, U.S. Department of Homeland Security, U.S. Immigration and Customs Enforcement (Press, Joshua)Attorney Joshua Samuel Press added to party Gregory Archambeault(pty:dft), Attorney Joshua Samuel Press added to party L. Francis Cissna(pty:dft), Attorney Joshua Samuel Press added to party Fred Figueroa(pty:dft), Attorney Joshua Samuel Press added to party Pete Flores(pty:dft), Attorney Joshua Samuel Press added to party Kevin K. McAleenan(pty:dft), Attorney Joshua Samuel Press added to party Kirtjen Nielsen(pty:dft), Attorney Joshua Samuel Press added to party Jefferson Beauregard Sessions, III(pty:dft), Attorney Joshua Samuel Press added to party U.S. Citizenship and Immigration Services(pty:dft), Attorney Joshua Samuel Press added to party U.S. Customs and Border Protection(pty:dft), Attorney Joshua Samuel Press added to party U.S. Department of Homeland Security(pty:dft), Attorney Joshua Samuel Press added to party U.S. Immigration and Customs Enforcement(pty:dft)(sjt). (Entered: 02/09/2018)
02/12/2018	<u>20</u>	ORDER Approving the Pro Hac Vice Application of Lee Gelernt, re <u>18</u> Request to Appear Pro Hac Vice. Signed by Judge M. James Lorenz on 2/12/2018.(kcm) (Entered: 02/13/2018)
02/24/2018	21	Joint MOTION to Bifurcate <i>Briefing of Respondents' Rule 12(b) Motion</i> by Gregory Archambeault, L. Francis Cissna, Fred Figueroa, Pete Flores, Thomas Homan, Kevin K. McAleenan, Kirtjen Nielsen, Jefferson Beauregard Sessions, III, U.S. Citizenship and Immigration Services, U.S. Customs and Border Protection, U.S. Department of Homeland Security, U.S. Immigration and Customs Enforcement. (Attachments: # 1 Proposed Order)(Press, Joshua) (dsn). (Main Document 21 replaced on 2/26/2018) (anh). (Entered: 02/24/2018)
02/26/2018	22	Notice of Document Discrepancies and Order Thereon by Judge M. James Lorenz Rejecting re 21 Joint MOTION to Bifurcate <i>Briefing of Respondents' Rule 12(b) Motion</i> . Non–compliance with local rule(s), CADS ECF Policies and Procedures §2(f)(4): no signature certification. IT IS HEREBY ORDERED: The document is rejected. It is ordered that the Clerk STRIKE the document from the record, and serve a copy of this order on all parties. Signed by Judge M. James Lorenz on 2/26/2018.(anh) (Additional attachment(s) added on 2/26/2018: # 1 Stricken Document) (anh). (Entered: 02/26/2018)
02/26/2018	<u>23</u>	Joint MOTION to Bifurcate <i>Briefing of Respondents' Rule 12(b) Motion</i> by Gregory Archambeault, L. Francis Cissna, Fred Figueroa, Pete Flores, Thomas Homan, Kevin K. McAleenan, Kirtjen Nielsen, Jefferson Beauregard Sessions, III, U.S. Citizenship and Immigration Services, U.S. Customs and Border Protection, U.S. Department of Homeland Security, U.S. Immigration and Customs Enforcement. (Press, Joshua) (anh). (Entered: 02/26/2018)
02/27/2018	<u>24</u>	ORDER granting in part and denying in part <u>23</u> Motion to Bifurcate. Signed by Judge M. James Lorenz on 2/27/2018. (anh) (Entered: 02/28/2018)
03/05/2018	<u>25</u>	MOTION to Dismiss by Gregory Archambeault, L. Francis Cissna, Fred Figueroa,

Case: 3:18-cv-135 As of: 01/28/2020 10:11 AM PST 6 of 9

		Beauregard Sessions, III, U.S. Citizenship and Immigration Services, U.S. Customs and Border Protection, U.S. Department of Homeland Security, U.S. Immigration and Customs Enforcement. (Attachments: # 1 Memo of Points and Authorities, # 2 Proof of Service)(Press, Joshua) (Entered: 03/05/2018)
03/05/2018	<u>26</u>	***STRIKEN PER ORDER 38 *** MOTION to File Documents Under Seal (Press, Joshua)(mxn). (Main Document 26 replaced on 3/6/2018) (mxn). Modified to strike and edit docket text on 3/6/2018 (mxn). (Entered: 03/05/2018)
03/05/2018	<u>27</u>	[FILED AS SEALED DOCUMENT ON 3/7/2018] – SEALED LODGED Proposed Document re: <u>26</u> MOTION to File Documents Under Seal. Document to be filed by Clerk if Motion to Seal is granted. (Press, Joshua)(mxn). (Main Document 27 replaced on 3/7/2018) (mxn). Modified on 3/7/2018 to add file date of lodgment (mxn). (Entered: 03/05/2018)
03/05/2018	<u>28</u>	[FILED AS SEALED DOCUMENT ON 3/7/2018] – SEALED LODGED Proposed Document re: <u>26</u> MOTION to File Documents Under Seal. Document to be filed by Clerk if Motion to Seal is granted. (Press, Joshua)(mxn). (Main Document 28 replaced on 3/7/2018) (mxn). Modified on 3/7/2018 to add file date of lodgment (mxn). (Entered: 03/05/2018)
03/05/2018	<u>29</u>	[FILED AS SEALED DOCUMENT ON 3/7/2018] – SEALED LODGED Proposed Document re: <u>26</u> MOTION to File Documents Under Seal. Document to be filed by Clerk if Motion to Seal is granted. (Press, Joshua)(mxn). (Main Document 29 replaced on 3/7/2018) (mxn). Modified on 3/7/2018 to add file date of lodgment (mxn). (Entered: 03/05/2018)
03/05/2018	<u>30</u>	[FILED AS SEALED DOCUMENT ON 3/7/2018] – SEALED LODGED Proposed Document re: <u>26</u> MOTION to File Documents Under Seal. Document to be filed by Clerk if Motion to Seal is granted. (Press, Joshua)(mxn). (Main Document 30 replaced on 3/7/2018) (mxn). Modified on 3/7/2018 to add file date of lodgment (mxn). (Entered: 03/05/2018)
03/05/2018	<u>31</u>	[FILED AS SEALED DOCUMENT ON 3/7/2018] – SEALED LODGED Proposed Document re: <u>26</u> MOTION to File Documents Under Seal. Document to be filed by Clerk if Motion to Seal is granted. (Press, Joshua)(mxn). (Main Document 31 replaced on 3/7/2018) (mxn). Modified on 3/7/2018 to add file date of lodgment (mxn). (Entered: 03/05/2018)
03/05/2018	32	[FILED AS SEALED DOCUMENT ON 3/7/2018] – SEALED LODGED Proposed Document re: <u>26 MOTION</u> to File Documents Under Seal. Document to be filed by Clerk if Motion to Seal is granted. (Press, Joshua)(mxn). (Main Document 32 replaced on 3/7/2018) (mxn). Modified on 3/7/2018 to add file date of lodgment (mxn). (Entered: 03/05/2018)
03/05/2018	<u>33</u>	[FILED AS SEALED DOCUMENT ON 3/7/2018] – SEALED LODGED Proposed Document re: <u>26 MOTION</u> to File Documents Under Seal. Document to be filed by Clerk if Motion to Seal is granted. (Press, Joshua)(mxn). (Main Document 33 replaced on 3/7/2018) (mxn). Modified on 3/7/2018 to add file date of lodgment (mxn). (Entered: 03/05/2018)
03/05/2018	<u>34</u>	[FILED AS SEALED DOCUMENT ON 3/7/2018] – SEALED LODGED Proposed Document re: <u>26</u> MOTION to File Documents Under Seal. Document to be filed by Clerk if Motion to Seal is granted. (Press, Joshua)(mxn). (Main Document 34 replaced on 3/7/2018) (mxn). Modified on 3/7/2018 to add file date of lodgment (mxn). (Entered: 03/05/2018)
03/05/2018	<u>35</u>	[FILED AS SEALED DOCUMENT ON 3/7/2018] – SEALED LODGED Proposed Document re: 26 MOTION to File Documents Under Seal. Document to be filed by Clerk if Motion to Seal is granted. (Press, Joshua)(mxn). (Main Document 35 replaced on 3/7/2018) (mxn). Modified on 3/7/2018 to add file date of lodgment (mxn). (Entered: 03/05/2018)
03/05/2018	<u>36</u>	[FILED AS SEALED DOCUMENT ON 3/7/2018] – SEALED LODGED Proposed Document re: <u>26 MOTION</u> to File Documents Under Seal. Document to be filed by Clerk if Motion to Seal is granted. (Press, Joshua)(mxn). (Main Document 36 replaced on 3/7/2018) (mxn). Modified on 3/7/2018 to add file date of lodgment (mxn).

Case: 3:18-cv-135 As of: 01/28/2020 10:11 AM PST 7 of 9

		(Entered: 03/05/2018)
03/06/2018	<u>37</u>	Notice of Document Discrepancies and Order Thereon by Judge M. James Lorenz Accepting, from Defendants Gregory Archambeault, L. Francis Cissna, Fred Figueroa, Pete Flores, Thomas Homan, Kevin K. McAleenan, Kirtjen Nielsen, Jefferson Beauregard Sessions, III, U.S. Citizenship and Immigration Services, U.S. Customs and Border Protection, U.S. Department of Homeland Security, U.S. Immigration and Customs Enforcement. Non–compliance with local rule(s), Civ. L. R. 7.1.e.8 Missing notation Special Briefing Schedule in the caption IT IS HEREBY ORDERED: The document is accepted despite the discrepancy noted above. Any further non–compliant documents may be stricken from the record. Signed by Judge M. James Lorenz on 3/6/2018.(anh) (Entered: 03/06/2018)
03/06/2018	<u>38</u>	Notice of Document Discrepancies and Order Thereon by Judge M. James Lorenz Rejecting, from Defendant Gregory Archambeault. Non–compliance with local rule(s), ECF §2.j. & j.1.b. – failure to properly serve opposing counsel with documents lodged under seal. IT IS HEREBY ORDERED: The document is rejected. It is ordered that the Clerk STRIKE the document from the record, and serve a copy of this order on all parties. Signed by Judge M. James Lorenz on 3/6/2018.(mxn) (Additional attachment(s) added on 3/6/2018: # 1 Stricken Document) (mxn). (Entered: 03/06/2018)
03/06/2018	<u>39</u>	MOTION to File Documents Under Seal (Press, Joshua) (Entered: 03/06/2018)
03/07/2018	<u>40</u>	ORDER Granting 39 Motion to File Documents Under Seal. Signed by Judge M. James Lorenz on 3/7/2018. (mxn) (Entered: 03/07/2018)
03/07/2018	51	MINUTE ORDER: Judge M. James Lorenz hereby recuses from this case and requests the Clerk to randomly reassign this matter to another district judge. Case randomly reassigned to Judge Anthony J. Battaglia for all further proceedings. Judge M. James Lorenz is no longer assigned. The new case number is 18cv0135–AJB–AGS. (no document attached) (cge) (Entered: 03/07/2018)
03/07/2018	<u>52</u>	Emergency MOTION to Stay <i>of Removal</i> by Vijayakumar Thuraissigiam. (Attachments: # 1 Memo of Points and Authorities, # 2 Declaration, # 3 Exhibit, # 4 Exhibit, # 5 Proof of Service)(Gelernt, Lee) (acc). (Entered: 03/07/2018)
03/07/2018	<u>53</u>	Emergency MOTION to Stay re <u>52</u> Emergency MOTION to Stay of Removal Pending Petitioner's Emergency Motion for Stay of Removal by Vijayakumar Thuraissigiam. (Attachments: # <u>1</u> Memo of Points and Authorities, # <u>2</u> Declaration, # <u>3</u> Proof of Service)(Gelernt, Lee) (acc). (Entered: 03/07/2018)
03/07/2018	<u>54</u>	Joint MOTION to Shorten Time for Petitioner's Emergency Motion for Stay of Removal by Vijayakumar Thuraissigiam. (Gelernt, Lee) QC re: missing cert of service(acc). (Entered: 03/07/2018)
03/08/2018	<u>55</u>	ORDER Dismissing Case with prejudice for lack of Jurisdiction; denying as moot <u>52</u> , <u>53</u> Petitioner's Ex Parte Application for Temporary Stay; denying as moot <u>54</u> Joint Motion to Shorten Time for Petitioner's Emergency Motion for Stay of Removal; and denying as moot <u>25</u> Respondent's Motion to Dismiss. the Petition is DISMISSED WITH PREJUDICE for lack of subject matter jurisdiction. As a result, as there is no likelihood of success on the merits to support Petitioner's emergency motion for stay of removal, this motion is DENIED. (Doc. No. 52 (see Nken v. Holder, 556 U.S. 418, 426 (2009)). Thus, Respondents' motion to dismiss, Petitioner's ex parte application for a stay of removal pending his emergency motion, and the joint motion to shorten time for Petitioner's emergency motion for stay of removal are DENIED AS MOOT.4 (Doc. Nos. 25, 53, 54.) The Clerk of Court is DIRECTED to CLOSE this case. Signed by Judge Anthony J. Battaglia on 3/8/2018. (acc) (Entered: 03/08/2018)
03/08/2018	<u>56</u>	CLERK'S JUDGMENT. IT IS SO ORDERED AND ADJUDGED that the Petition is DISMISSED WITH PREJUDICE for lack of subject matter jurisdiction. As a result, asthere is no likelihood of success on the merits to support Petitioner's emergency motion for stay of removal, this motion is DENIED. (Doc. No. 52 (see Nken v. Holder, 556 U.S. 418, 426 (2009)). Thus, Respondents' motion to dismiss, Petitioner's ex parte application for a stay of removal pending his emergency motion, and the joint motion to shorten time for Petitioner's emergency motion for stay of removal are DENIED AS MOOT.4 (Doc. Nos. 25, 53, 54.) The Clerk of Court is DIRECTED to CLOSE this

Case: 3:18-cv-135 As of: 01/28/2020 10:11 AM PST 8 of 9

		case.(acc) (Entered: 03/08/2018)
03/08/2018	<u>57</u>	NOTICE OF APPEAL to the 9th Circuit as to <u>56</u> Clerk's Judgment, <u>55</u> Order, by Vijayakumar Thuraissigiam. (Filing fee \$ 505 receipt number 0974–10997026.) (Notice of Appeal electronically transmitted to US Court of Appeals.) (Attachments: # <u>1</u> Judgment and Order, # <u>2</u> Representation Statement)(Newell, Jennifer). (Modified on 3/9/2018: Edited docket text re linked Order and Judgment.) (akr). (Entered: 03/08/2018)
03/09/2018	58	USCA Case Number 18–55313 for <u>57</u> Notice of Appeal to the 9th Circuit, filed by Vijayakumar Thuraissigiam. (no document attached) (akr) (Entered: 03/09/2018)
03/09/2018	<u>59</u>	ORDER of USCA as to <u>57</u> Notice of Appeal to 9th Circuit, filed by Vijayakumar Thuraissigiam Appellant's request for a temporary stay of removal contained within Docket Entry No. 2 is granted. Appellees' response to the motion for a stay pending appeal is due March 12, 2018 at 9:00 am Pacific Time. Appellant's optional reply is due March 12, 2018 at 1:00 pm Pacific Time. The briefing schedule established previously remains in effect. (akr) (Entered: 03/09/2018)
03/12/2018	<u>60</u>	ORDER of USCA as to <u>57</u> Notice of Appeal to 9th Circuit, filed by Vijayakumar Thuraissigiam. Appellant's motion for a stay of removal pending appeal is denied The briefing schedule established previously remains in effect. (akr) (Entered: 03/12/2018)
03/13/2018	<u>61</u>	***VACATED BY THE USCA PER <u>63</u> ORDER OF USCA***: ORDER of USCA as to <u>57</u> Notice of Appeal to 9th Circuit, filed by Vijayakumar Thuraissigiam. The motion for reconsideration is denied. The motion for reconsideration en banc is denied on behalf of the court. The motion to stay appellant's removal pending the motion for reconsideration is denied as moot. The briefing schedule established previously remains in effect. (akr). (Modified on 3/22/2018: This Order has been vacated by the USCA.) (akr). (Entered: 03/14/2018)
03/21/2018	62	ORDER of USCA as to <u>57</u> Notice of Appeal to 9th Circuit, filed by Vijayakumar Thuraissigiam. In response to a request from a member of the court, the USCA's March 13, 2018 order is vacated to the extent that the order denies reconsideration en banc on behalf of the court. Appellant's removal from the United States is stayed pending further court order. This matter is deemed urgent. The Clerk shall set an expedited briefing schedule and refer this matter to a three–judge panel for resolution. All other pending motions will be addressed by separate order. (akr) (Entered: 03/21/2018)
03/22/2018	<u>63</u>	ORDER of USCA as to <u>57</u> Notice of Appeal to 9th Circuit, filed by Vijayakumar Thuraissigiam. The motion for summary affirmance is denied without prejudice to renewing the arguments in the briefing. The USCA's March 13, 2018 order is vacated in its entirety. Appellant's removal remains stayed. The Clerk will establish a briefing schedule by separate order. (akr) (Entered: 03/22/2018)
04/17/2019	<u>64</u>	ORDER of USCA as to <u>57</u> Notice of Appeal to the 9th Circuit filed by Vijayakumar Thuraissigiam. Respondents–Appellees' unopposed motion for extension of time to file petition for rehearing and rehearing en banc is granted. The time within which to file the petition is extended to and including June 5, 2019. (akr) (Entered: 04/17/2019)
08/07/2019	65	NOTICE of Spreading the Mandate: Appeal Mandate Hearing set for 8/29/2019 02:00 PM in Courtroom 4A before Judge Anthony J. Battaglia. (no document attached) (ymm) (Entered: 08/07/2019)
08/21/2019	<u>66</u>	Joint MOTION to Hold In Abeyance by Vijayakumar Thuraissigiam. (Gelernt, Lee) (jrm). (Entered: 08/21/2019)
08/22/2019	<u>67</u>	ORDER granting Joint Motion to Hold Case in Abeyance (Doc. No. <u>66</u>). Signed by Judge Anthony J. Battaglia on 8/22/2019. (jrm) (jao). (Entered: 08/22/2019)
08/28/2019	68	NOTICE of Vacated Hearing. Hearing re: Spreading the Mandate. Case held in abeyance. (no document attached) (sc) (Entered: 08/28/2019)
08/28/2019	69	ORDER by Judge Anthony J. Battaglia:Due to [doc 66] Order granting Joint Motion to Hold Case in Abeyance filed, the Appeal Mandate Hearing set for 8/29/19 @ 2pm before Judge Battaglia is vacated. (jrm) (Entered: 2019–08–22) (no document

Case: 3:18-cv-135 As of: 01/28/2020 10:11 AM PST 9 of 9

		attached) (ymm) (Entered: 08/28/2019)
01/23/2020	<u>70</u>	MOTION to Withdraw as Attorney , <i>Jennifer Chang Newell</i> by Vijayakumar Thuraissigiam. (Attachments: # <u>1</u> Proposed Order)(Wofsy, Cody) (jrm). (Entered: 01/23/2020)
01/24/2020	71	Notice of Document Discrepancies and Order Thereon by Judge Anthony J. Battaglia Accepting re 70 MOTION to Withdraw as Attorney, <i>Jennifer Chang Newell</i> , from Plaintiff Vijayakumar Thuraissigiam. Non–compliance with local rule(s), ECF 2(h): Includes a proposed order or requires judges signature. IT IS HEREBY ORDERED: The document is accepted despite the discrepancy noted above. Any further non–compliant documents may be stricken from the record. Signed by the Chambers of Judge Anthony J. Battaglia.(jrm) (Entered: 01/24/2020)
01/24/2020	<u>72</u>	ORDER granting <u>70</u> Motion to Withdraw as Attorney. Signed by Judge Anthony J. Battaglia on 1/24/2020. (jrm) (Entered: 01/27/2020)