

USCIS ORDERED TO SCHEDULE OATH CEREMONY

In a decision rendered on August 19, 2008, the U.S district court in Washington denied the request of the government to remand the application of naturalization of Maria Bougai, the plaintiff, and approved the application. The Court further ordered the U.S, Citizenship and Immigration Services to schedule an oath ceremony for the plaintiff as soon as possible and issue her a Certificate of Naturalization on the same day.

Here are the facts of the case. Plaintiff filed an N-400 application for naturalization with the U. S. Citizenship and Immigration Services ("CIS") on May 11, 2005. CIS failed to adjudicate her application in a timely fashion. Plaintiff thereupon sought to seek judicial naturalization pursuant to 8 U.S.C. § 1447(b). On May 5, 2008, the Court ordered defendants to show cause why plaintiff should not be naturalized. Defendants were specifically instructed to state any reasons why plaintiff was not eligible for naturalization and to provide a proposed plan, if appropriate, for the prompt administrative adjudication of her application. The only response of the CIS was their motion to remand the matter with a promise to adjudicate Maria's application within sixty days.

The court in denying the motion to remand observed that CIS had not offered any justification for their request for an additional sixty days in which to ponder plaintiff's application. The application was filed more than three years ago and, when CIS failed to act, plaintiff chose to pursue naturalization through the courts, as was her right under law. Plaintiff's evidence of eligibility was uncontested: no specialized skill was needed to conclude the adjudication of plaintiff's application. The court therefore granted the plaintiff's naturalization application **rather than allowing CIS to take the matter in their hands and waste more time.**