

**Naranjo-Aguilera v. United States INS**

United States District Court for the Eastern District of California  
November 18, 1994, Decided ; November 22, 1994, FILED  
CIV. NO. S-91-1462 EJG/GGH

**Reporter:** 1994 U.S. Dist. LEXIS 20315

FRANCISCO NARANJO-AGUILERA, et al., Plaintiffs, v.  
UNITED STATES IMMIGRATION AND  
NATURALIZATION SERVICE, and WILLIAM BARR,  
Defendants.

**Counsel:** [\*1] For FRANCISCO NARANJO-AGUILERA,  
plaintiff: William C Kennedy, Legal Services of Northern  
California, Sacramento, CA. Charles Hammond Wheeler,  
Karen L Miksch, National Immigration Law Center, Los  
Angeles, CA. Richard S Kohn, Stephen Allen Rosenbaum,  
California Rural Legal Assistance, San Francisco, CA.  
Douglas Marr Lehrman, Kanter Lehrman and Yun,  
Sacramento, CA. Kristine Poplawski,

**Judges:** EDWARD J. GARCIA, JUDGE, UNITED STATES  
DISTRICT COURT

**Opinion by:** EDWARD J. GARCIA

**Opinion**

*ORDER AFTER HEARING*

This matter was before the court on November 18, 1994, for hearing on defendants' motion to dismiss. Stephen Rosenbaum appeared on behalf of plaintiffs. Glyndell Williams and Donald Keener appeared on behalf of defendants. After considering the parties' written and oral arguments and the record in this matter, and for the reasons stated in the court's oral analysis in open court on the record, the court entered the following order.

Defendants' motion to dismiss is denied as moot. Since the case was not remanded to this court after the judgment was vacated by the Ninth Circuit Court of Appeals, there is nothing for the district court to dismiss.

IT IS SO ORDERED.

Dated: November 18, 1994

EDWARD [\*2] J. GARCIA, JUDGE

UNITED STATES DISTRICT COURT