

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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U.S. DISTRICT COURT E.D.N.Y.
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Plaintiff,

Case No

-against-

ERIC HOLDER, Attorney General of the
United States of America, JANET NAPOLITANO
Secretary of the U.S. Department of Homeland
Security, ROBERT S. MUELLER, III, Director,
Federal Bureau of Investigations, ALEJANDRO
MAYORKAS Director, U.S. Citizenship and
Immigration Services, ANDREA QUARANTILLO,
District Director, U.S. Citizenship and Immigration
Services, New York District Office,

COGAN, J.

Defendants.

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**PLAINTIFF'S ORIGINAL COMPLAINT
FOR WRIT IN THE NATURE OF MANDAMUS**

Comes now, _____ in the above-styled and numbered cause, and for cause
of action would show unto the Court the following:

1. This action is brought against the Defendants to compel action on an
application for naturalization that has been pending for a period of almost five years. The
application was filed on October 7, 2005 and remains within the jurisdiction of the Defendants,
who have improperly withheld action on said application to Plaintiff's detriment.

PARTIES

2. Plaintiff, _____ is a native and citizen of Pakistan born December 30, 2010
05, 1997. He became a lawful permanent resident of the United States on or about October 30, 2010

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2000. Said residency has never been surrendered or revoked and Plaintiff is not now in deportation, exclusion, or removal proceedings.

3. Defendant, ERIC HOLDER, is the Attorney General of the United States of America, and this action is brought against him in his official capacity. He is generally charged with enforcement of the Immigration and Nationality Act, and is further authorized to delegate such powers and authority to subordinate employees of the Department. More specifically, the Attorney General is granted "sole authority to naturalize persons as citizens of the United States." 8 U.S.C. § 1421.

4. Defendant, JANET NAPOLITANO, is Secretary of the Department of Homeland Security of the United States, and this action is brought against her in her official capacity. She is generally charged with enforcement of the Immigration and Nationality Act, and is further authorized to delegate such powers and authority to subordinate employees of the Department. More specifically, the Secretary is responsible for the adjudication of applications for naturalization filed pursuant to the Immigration and Nationality Act (INA), 8 U.S.C. § 1423. The United States Citizenship and Immigration Services (USCIS) is an agency within the Department of Homeland Security to whom the Secretary's authority has in part been delegated, and is subject to the Secretary's supervision.

5. Defendant, ROBERT S. MUELLER, III, is the Director of the Federal Bureau of Investigations, and this action is brought against him in his official capacity. The Federal Bureau of Investigations (FBI) is the investigative arm of the U.S. Department of Justice, authorized under Title 28, Section 533 of the U.S. Code to conduct investigations against terrorists and foreign intelligence threats and to uphold and enforce the criminal laws of the United States. In furtherance of that mission, the FBI is currently authorized to conduct security