

UNITED STATES DISTRICT COURT

for the

Eastern District of New York

)	
<i>Plaintiff</i>)	
v.)	Civil Action No.
ERIC HOLDER, Attorney General of the United States of America,)	
<i>Defendant</i>)	

SUMMONS IN A CIVIL ACTION

To: *(Defendant's name and address)* U.S. Attorney's Office
Eastern District of New York
610 Federal Plaza
Central Islip, NY 11722

ROSS, J.
MANN, M.

A lawsuit has been filed against you.

Within 20 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

MITCHELL ZWAIK & ASSOCIATES, P.C.
3900 Veterans Memorial Hwy., Ste. 120
Bohemia, NY 11716
631-588-4040

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

ROBERT C. HEINEMANN
CLERK OF COURT

Date: DEC 30 2009

[Signature]
Signature of Clerk or Deputy Clerk

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

RECEIVED
U.S. DISTRICT COURT
★ DEC 30 2009

-----X
Plaintiffs,

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,

ROSS, J.
MANN, M.

Defendants.
-----X

**PLAINTIFFS' ORIGINAL COMPLAINT
FOR WRIT IN THE NATURE OF MANDAMUS**

COME NOW, _____ in the above-styled and
numbered cause, and for cause of action would show unto the Court to following:

1. This action is brought against the Defendants to compel action on an
application for lawful permanent resident status properly filed by the Plaintiff
, and Plaintiffs _____ in 2005. The
applications were filed and remain within the jurisdiction of the Defendants, who
have improperly withheld action on said application to Plaintiffs' detriment.

PARTIES

2. Plaintiff, _____, is a native and citizen of India who was born on
January 1, 1970. Plaintiff applied for adjustment of status to become a permanent
resident on August 04, 2003 based upon his grant of asylum by Immigration Judge
William Strasser in Newark, NJ on May 21, 2002. His application for adjustment of
status has been pending for a period exceeding six years.

DEC 30 2009

E.D.N.Y.
CENTRAL ISLIP, NY