

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

KUSUMA NIO, *et al.*,

Plaintiffs,

v.

**UNITED STATES DEPARTMENT OF
HOMELAND SECURITY, *et al.*,**

Defendants.

Civil Action No. 17-0998 (ESH)

ORDER

As discussed on the record during the Court's status hearing of August 14, 2019, it is hereby

ORDERED that a status hearing is set for **Monday, September 23, 2019, at 2:00 p.m.**; it is further

ORDERED that defendants' next Six-Week Report is due on or before **Wednesday, September 18, 2019, at 12:00 p.m.** and should include the same information and follow the same format as defendants' most recent Six-Week Report of August 7, 2019, ECF No. 264 (*see also* Order, July 15, 2019, ECF No. 259 (updating reporting requirements)); it is further

ORDERED that counsel for the parties shall meet and confer regarding specific areas of confusion or disagreement, including but not limited to possible discrepancies, omissions, or errors in the reporting in this case and related cases; class members' discharge status; and other matters relevant to USCIS's processing of class members' naturalization applications and reporting thereof to the Court; it is further

ORDERED that defendants shall file a status report, on or before Wednesday,

September 4, 2019, at 12:00 p.m., addressing the following:

- As of August 28, 2019, how many *Nio* class members have received MSSR notification letters in accordance with the October 26 Policy? Has the Army/DOD provided to USCIS a complete list as of August 28, 2019, of the class members who have received MSSR notification letters? Is USCIS giving priority to these people in terms of processing their naturalization applications per the Court's July 15, 2019 Order?
- Identify any class members who have been denied naturalization because of an uncharacterized discharge but in fact were purportedly discharged either (1) without receiving process required under the Army Regulations or (2) without receiving both a USARC and a USAREC discharge. What steps has USCIS taken to correct the error for each applicant?
- What is the current status of Zeyuan Li and Yisheng Dai vis-à-vis (1) USCIS processing of their naturalization applications and (2) any other immigration proceedings (*e.g.*, removal proceedings)?

SO ORDERED.



Ellen S. Huvelle

ELLEN SEGAL HUVELLE
United States District Judge

Date: August 14, 2019