

FILED: August 23, 2022

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 22-1413
(1:22-cv-00138-RDA-JFA)

MIN JEONG KIM

Plaintiff - Appellant

v.

USCIS

Defendant - Appellee

J U D G M E N T

In accordance with the decision of this court, this appeal is dismissed.

This judgment shall take effect upon issuance of this court's mandate in
accordance with Fed. R. App. P. 41.

/s/ PATRICIA S. CONNOR, CLERK

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MIN JEONG KIM,

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v.

USCIS,

Defendant - Appellee.

ORDER

Min Jeong Kim has filed a notice of appeal in her pending civil action against the United States Citizenship and Immigration Services ("USCIS"). USCIS has moved to dismiss the appeal for lack of jurisdiction.

This court may exercise jurisdiction only over final orders, 28 U.S.C. § 1291, and certain interlocutory and collateral orders, 28 U.S.C. § 1292; Fed. R. Civ. P. 54(b); *Cohen v. Beneficial Indus. Loan Corp.*, 337 U.S. 541, 545-46 (1949). A review of the district court's docket confirms that, at this time, there are no appealable orders. Accordingly, we

grant USCIS's motion to dismiss the appeal for lack of jurisdiction. We deny Kim's motion for a trial, petition for rehearing, and motions to notify.

Entered at the direction of the panel: Chief Judge Gregory, Judge Heytens, and Senior Judge Keenan.

For the Court

/s/ Patricia S. Connor, Clerk

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Alexandria Division

MIN JEONG KIM,

Plaintiff,

v.

USCIS,

Defendant.

Civil Action No. 1:22cv0138 (RDA/JFA)

ORDER

This matter is before the court on plaintiff's "motion for correction" filed on March 29, 2022. (Docket no. 13). In this motion, and in a previous "motion to notify" (Docket no. 12), plaintiff requests either trial or discovery process for free of charge and refers to a case in the Circuit Court of Crawford County, Arkansas. The case in Arkansas was also mentioned in a previous "motion to notify" filed on March 4, 2022. (Docket no. 11). Plaintiff has filed the complaint in this action and at this point there is no additional cost for "trial or discovery process". Until defendant has filed a responsive pleading, there can be no trial or discovery process initiated. To the extent plaintiff is requesting this court to require the Circuit Court in Crawford County, Arkansas to take certain action, the request is improper. For these reasons, this motion is denied without prejudice.

Entered this 7th day of April, 2022.

_____/s/_____
John F. Anderson
United States Magistrate Judge

John F. Anderson
United States Magistrate Judge

Alexandria, Virginia

< U.S. Court of Appeals
In V.A. >

FILED

Min Jeong Kim

Plaintiff

VS

2022 MAY -11 P 5:01

The United States

USCIS

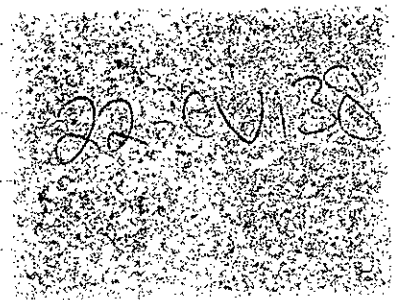
Defendant

Case # = (22-CV-38
22-1413

< Motion: Informal Briefs >

• Proceedings: ① I am submitting this to file
a motion as informal brief to the U.S
Court of Appeals In V.A.

② This is an additional motion from
the previous motion.



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05/03/22

I) Issue: N-400 Application

• Facts: Right before I applied to an application, I contacted to the USCIS to ask ~~if I~~ meet the requirements.



2022 11:27 AM 2 5:03

* The time when USCIS can proceed to confirm the requirements.

For Sure

— ① When payment occurred

↔ before Issuing a receipt

② On a finger print date

For Sure

— ③ During the interview when asking a question

④ After receiving appeal application (2 times)

• I has passed long long time by the time when I received a letter from USCIS in regards to have a problem of the requirement.

ii) Issue: Jurisdiction Problem after moving

• Facts: USCIS allows applicant move.

[If you move during the application process,
You need to notify immediately.

→ From USCIS call center

If applicants need to reside 90 days again within new jurisdiction after moving, it is not fair. Some people should move to other location.

It should clearly be stated as basic pre-condition.

This should have belonged to the requirement to satisfy as follows:

• Requirement — One of the requirements for N-400,

You have lived within the state or USCIS district where you claim residence for at least 3 months prior to filing.

III) Issue : Interview

① Jurisdiction - You resided only one day
(from USCIS letter)

* facts: I have lived at Fresno jurisdiction
more than a day.

• During the Interview,

USCIS asked me an address,

I moved to Fresno yesterday.
↓ (corrected answer)

I moved to this address at Fresno
yesterday.

I did not know the address.

② Application - Physical Address / Mailing Address

* facts: Since I was not familiar to the
physical address and mailing address,

I put a mailing address on an application.

I told to USCIS call center about this.

I told to lawyer about this.

I told to USCIS about this on an interview
date.

05/03/22