

No. 25-50378

---

**IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT**

---

**RAFAEL ADRIAN QUEVEDO CARAVEO,**

*Plaintiff-Appellant,*

v.

**MARCO RUBIO, SECRETARY, U.S. DEPARTMENT OF STATE,**

*Defendant-Appellee.*

---

**ON APPEAL FROM THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF TEXAS, EL PASO DIVISION**

---

**UNOPPOSED MOTION FOR VOLUNTARY DISMISSAL**

---

**FELIPE D.J. MILLAN**

New Mexico State Bar No. 7220

Texas Bar State No. 00788791

1147 Montana Avenue

El Paso, Texas 79902

Telephone: (915) 566-9977

Facsimile: (915) 562-6837

E-mail: [fmillan@felipemillan.com](mailto:fmillan@felipemillan.com)

**Attorney for Plaintiff-Appellant**

Pursuant to Federal Rule of Appellate Procedure 42(b) and Circuit Rule 42.1, Plaintiff-Appellant hereby moves to dismiss this appeal. In support of this motion, Plaintiff-Appellant states as follows:

1. Appellant first filed a claim in District Court for a judgement declaring him a national of the United States after he was wrongfully denied issuance of a U.S. passport by The Department of State. The District Court dismissed Appellant's claim and this appeal was filed before the United States Court of Appeals for the Fifth Circuit.
2. Since the filing of this appeal, Appellant's case has significantly changed. The U.S. Citizenship and Immigration Services ("USCIS") has now scheduled Appellant for his citizenship oath ceremony on July 29, 2025, at 10:00 a.m., at the USCIS El Paso Field Office at 1545 Hawkins Blvd, El Paso, Texas, 79925.
3. In light of this development, Appellant no longer wishes to pursue this appeal as the underlying issues of this appeal are now resolved. Appellant respectfully request that this Court permit the appeal be withdrawn without prejudice, preserving any rights as may be appropriate in future proceedings.
4. No fees are currently due to the Court, and the parties will each bear their

own costs associated with this appeal.

5. Counsel for Plaintiff-Appellant conferred with counsel for Defendant-Appellees prior to filing this motion and have been informed that this motion is unopposed.

#### CONCLUSION

For the foregoing reasons, the Court should direct the clerk to enter an order of dismissal pursuant to Federal Rule of Appellate Procedure 42(b) and Circuit Rule 42.1.

Respectfully submitted,

/S/ Felipe DJ Millan

**FELIPE D.J. MILLAN**

New Mexico State Bar No. 7220

Texas Bar State No. 00788791

1147 Montana Avenue

El Paso, Texas 79902

Telephone: (915) 566-9977

Facsimile: (915) 562-6837

E-mail: fmillan@felipemillan.com

**Attorney for Plaintiff-Appellant**

**CERTIFICATE OF CONFERENCE**

I certify that counsel for Appellant contacted Anna Dichter, Lacy L. McAndrew, and Mary F. Kruger, counsel for Appellees, regarding this motion. Counsel for the Appellees advised that the motion was unopposed.

/S/ Felipe DJ Millan  
**FELIPE D.J. MILLAN**

## CERTIFICATE OF SERVICE

I Felipe D.J. Millan, hereby certify that on the 18<sup>th</sup> day of July, 2025, I electronically filed the foregoing Motion with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to Anna Dichter, Lacy L. McAndrew, and Mary F. Kruger, Trial Attorneys.

I also certify that a true and correct paper copy of the Motion was served to Anna Dichter, DOJ-CIV Civil Division, Office of Immigration Litigation, District, at PO Box 868 Ben Franklin Station Washington, DC 20044, Lacy L. McAndrew, DOJ-USAO US Attorney's Office, at 601 NW Loop 410, Suite 600, San Antonio, TX 78216, and Mary F. Kruger, United States Attorneys Office, Chief, Civil Division, at 601 NW Loop 410, Suite 600, San Antonio, TX 78216. All paper copies were served via FedEx.

/s/ Felipe DJ Millan  
**FELIPE D.J. MILLAN**

## CERTIFICATE OF COMPLIANCE

The Certificate of Compliance is made in regard to Federal Rule of Appellate Procedure 27(d)(1)(E), 27(d)(2), and Circuit Rule 27.4 and 32. This motion complies with: (1) the type-volume limitation of Federal Rule of Appellate Procedure 27(d)(2)(A) because it contains fewer than 5200 words as the motion has 375 words; and (2) the typeface requirements of Rule 32(a)(5) and the type style requirements of Rule 32(a)(6) because it has been prepared in a proportionally spaced typeface (14-point Times New Roman) using Microsoft Word (the same program used to calculate the word count).

/s/ Felipe DJ Millan  
**FELIPE D.J. MILLAN**