

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
ORLANDO DIVISION**

CASE NO. 6:25-cv-1737-AGM-DCI

UNITED STATES OF AMERICA,

Plaintiff,

v.

**UNOPPOSED MOTION TO STAY
CASE IN LIGHT OF LAPSE OF
APPROPRIATIONS**

FERNANDO ADRIAN MOIO BARTOLINI,

a/k/a Fernando Adrian Moio,

a/k/a Fernando Adrian Moio Bartollini,

Defendant.

The United States of America moves for a stay of the above-captioned case seeking an order revoking Defendant Fernando Adrian Moio Bartolini's naturalization. Good cause exists for this unopposed motion due to the lapse of appropriations to the U.S. Department of Justice.

1. At the end of the day on September 30, 2025, the appropriations act that had been funding the U.S. Department of Justice expired and those appropriations to the Department lapsed. The Department does not know when such funding will be restored by Congress.

2. Absent an appropriation, Department attorneys are prohibited from working, even on a voluntary basis, except in very limited circumstances, including "emergencies involving the safety of human life or the protection of property." 31 U.S.C. § 1342.

3. This case was filed on September 9, 2025, ECF No. 1, and is not an emergency involving the safety of human life or the protection of property.

4. On October 16, 2025, Defendant agreed to waive service, ECF No. 6, making his response to the Complaint due November 12, 2025, in accordance with Federal Rule of Civil Procedure 4(d)(3).

5. Before the lapse in appropriations, counsel for the parties were discussing settlement through a motion for consent judgment. Thus, in addition to the general issue of this case not being excepted under 31 U.S.C. § 1342, the Government seeks to stay the case to allow the continuation of settlement discussions before Defendant expends resources responding to the Complaint.

6. If this motion for a stay is granted, undersigned counsel will notify the Court no later than three business days after Congress appropriates funds for the Department and will work with Defendant's counsel to jointly propose a new answer deadline to the Court.

7. On October 27, 2025, opposing counsel authorized counsel for the Government to state that Defendant has no objection to this motion.

Therefore, the Government hereby moves for a stay of this case until U.S. Department of Justice attorneys are permitted to resume their usual civil litigation functions.

Dated: November 6, 2025

Respectfully submitted,

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