

NOT FOR PUBLICATION

FILED

UNITED STATES COURT OF APPEALS

NOV 21 2016

FOR THE NINTH CIRCUIT

MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS

DANIEL GABINO MARTINEZ; et al.,

No. 14-17298

Plaintiffs-Appellants,

D.C. No. 3:13-cv-00554-MMD-
VPC

v.

UNITED STATES OF AMERICA,

MEMORANDUM*

Defendant-Appellee.

Appeal from the United States District Court
for the District of Nevada
Miranda M. Du, District Judge, Presiding

Submitted November 16, 2016**

Before: LEAVY, BERZON, and MURGUIA, Circuit Judges.

Plaintiffs appeal pro se from the district court's judgment in their action alleging unreasonable delay in the processing of their grazing application by the Bureau of Land Management ("BLM"). We dismiss.

Plaintiffs brought their complaint under the Administrative Procedures Act,

* This disposition is not appropriate for publication and is not precedent except as provided by Ninth Circuit Rule 36-3.

** The panel unanimously concludes this case is suitable for decision without oral argument. See Fed. R. App. P. 34(a)(2).

5 U.S.C. § 706(1), which provides the district court with authority to compel agency action when that action is unreasonably delayed. During the pendency of this case, the BLM acted on plaintiffs' application by sending plaintiffs a letter on March 14, 2014, acknowledging receipt of their application and pointing out several deficiencies in the application. Accordingly, plaintiffs' request to compel agency action on their application is moot, and we dismiss the appeal.

DISMISSED.