

HORTENCIO ARCELO,
Plaintiff,
v.
DONALD C. WINTER,
Secretary of the Navy,
Defendant.

This matter is before the Court on defendant's motion to dismiss.

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In *Licudine v. Winter*, 603 F. Supp. 2d 129 (D.D.C. 2009), this Court held that a person who, like plaintiff, was born in the Philippine Islands when the Philippines was a United States territory is neither a citizen nor a national of United States citizen. *Id.* at 135-36. Such a person, then, is an alien to whom Title VII does not apply. *Id.*

The Court will grant defendant's motion to dismiss. An Order accompanies this Memorandum Opinion.

JAMES ROBERTSON
United States District Judge