

**Request for a preliminary ruling from the Raad van State (Netherlands) lodged on 30 September 2019 – FS v
Staatssecretaris van Justitie en Veiligheid**

(Case C-719/19)

(2020/C 19/12)

Language of the case: Dutch

Referring court

Raad van State

Parties to the main proceedings

Applicant: FS

Defendant: Staatssecretaris van Justitie en Veiligheid

Questions referred

1. Must Article 15(1) of Directive 2004/38/EC of the European Parliament and of the Council of 29 April 2004 on the right of citizens of the Union and their family members to move and reside freely within the territory of the Member States amending Regulation (EEC) 1612/68 and repealing Directives 64/221/EEC, 68/360/EEC, 72/194/EEC, 73/148/EEC, 75/34/EEG, 75/35/EEC, 90/364/EEC, 90/365/EEC and 93/96/EEC (OJ 2004 L 158, ⁽¹⁾ corrected by OJ 2004 L 229, OJ 2005 L 30, OJ 2005 L 197 and OJ 2007 L 204) be interpreted as meaning that the decision to expel a Union citizen from the territory of the host Member State taken on the basis of that provision has been complied with and that that decision no longer has any legal effects once that Union citizen has demonstrably left the territory of that host Member State within the period for voluntary departure laid down in that decision?
2. If Question 1 must be answered in the affirmative, does that Union citizen, in the event of an immediate return to the host Member State, have the right of residence of up to three months referred to in Article 6(1) of Directive 2004/38/EC, or may the host Member State take a new expulsion decision in order to prevent the Union citizen from entering the host Member State for a short period of time?
3. If Question 1 must be answered in the negative, must that Union citizen in that case then reside outside the territory of the host Member State for a certain period of time and, if so, how long is that period?

⁽¹⁾ p. 77.

**Request for a preliminary ruling from the Verwaltungsgericht Düsseldorf (Germany) lodged on 30 September 2019 — GR
v Stadt Duisburg**

(Case C-720/19)

(2020/C 19/13)

Language of the case: German

Referring court

Verwaltungsgericht Düsseldorf