

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF MINNESOTA

Abdirahman H. v. Luis R. Borges, et al.

Abdirahman H. · No. 25-cv-4613 (ECT/LIB) · Decided April 2, 2026

SUMMARY

The United States District Court for the District of Minnesota granted the respondents’ motion to dismiss a petition seeking an order requiring USCIS to conduct a naturalization interview. The court held that the petitioner’s failure to respond to the motion constituted a waiver and dismissed the action without prejudice.

CASE DETAILS

COURT	United States District Court for the District of Minnesota
WRITING FOR THE COURT	Eric C. Tostrud
JURISDICTION	United States District Court for the District of Minnesota
DECIDED	April 2, 2026
DOCKET	25-cv-4613 (ECT/LIB)
DISPOSITION	dismissed
PROCEDURAL POSTURE	Petition for mandamus seeking an order requiring federal immigration officials to conduct a naturalization interview; respondents moved to dismiss, and petitioner failed to respond.
PRECEDENTIAL VALUE	unpublished district court opinion
PARTIES	Abdirahman H. v. Luis R. Borges, Joseph B. Edlow, Markwayne Mullin, Todd Blanche

TOPICS

- naturalization
- mandamus immigration
- motions to dismiss
- immigration
- civil procedure

PRACTICE AREAS

- immigration
- administrative law
- civil procedure

QUESTIONS PRESENTED

1. Whether petitioner's failure to respond to respondents' motion to dismiss constituted a waiver warranting dismissal.

2. Whether the action should be dismissed without prejudice after petitioner failed to respond to the motion to dismiss.

HOLDINGS

1. A petitioner's failure to respond to a motion constitutes a waiver.
2. Respondents' motion to dismiss should be granted and the action dismissed without prejudice.

KEY QUOTATIONS

“A petitioner’s failure to respond to a motion constitutes a waiver.” (at 2)

FACTUAL BACKGROUND

Abdirahman H. is a lawful permanent resident who submitted an application for naturalization on June 6, 2023. USCIS scheduled his naturalization interview for November 16, 2023, but canceled it and did not reschedule. He later sought mandamus relief requiring the defendants to conduct the interview.

PROCEDURAL HISTORY

Abdirahman filed an application for naturalization on June 6, 2023. After a scheduled November 16, 2023 interview was canceled and not rescheduled, he filed this action on December 12, 2025. Respondents moved to dismiss on February 20, 2026, but Abdirahman did not respond within the twenty-one-day deadline or thereafter. The court granted the motion and dismissed the action without prejudice.

DISPOSITION

dismissed

CASES CITED

- Hansen v. Westly, No. 24-cv-2653 (ECT/JFD), 2024 WL 4851300, at *2 (D. Minn. Nov. 21, 2024)
- Daniel v. Honeywell Int’l Inc., No. 22-cv-3184 (ECT/DLM), 2023 WL 6392404, at *2 (D. Minn. Oct. 2, 2023), aff’d, No. 23-3476, 2024 WL 3634227 (8th Cir. Aug. 2, 2024)
- Hernandez-Diaz v. Equifax Info. Servs., No. 22-cv-2302 (JRT/JFD), 2023 WL 2025123, at *2 (D. Minn. Feb. 15, 2023)
- Cox v. Harpsted, No. 22-cv-0478 (PJS/DJF), 2022 WL 16541087, at *1 (D. Minn. Oct. 28, 2022)