

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLUMBIA

Ruhumuriza v. Jaddou

Ruhumuriza · No. 25-109 (SLS) · Decided March 3, 2026

SUMMARY

The court considers a motion to dismiss claims by eleven Congolese nationals alleging unreasonable delay in USCIS processing of their refugee-application requests for review and unlawful implementation of Executive Order 14163. The court dismisses the processing-delay claims because the plaintiffs did not establish a nondiscretionary duty to resolve the requests for review. The challenge to the Executive Order survives dismissal only to the extent it asserts that the defendants' implementation was arbitrary and capricious.

CASE DETAILS

COURT	United States District Court for the District of Columbia
WRITING FOR THE COURT	Sparkle L. Sooknanan
JURISDICTION	United States District Court for the District of Columbia
DECIDED	March 3, 2026
DOCKET	25-109 (SLS)
DISPOSITION	other
PROCEDURAL POSTURE	Defendants moved to dismiss the amended complaint under Federal Rules of Civil Procedure 12(b)(1) and 12(b)(6). The court granted the motion in part and denied it in part, allowing the plaintiffs' arbitrary-and-capricious challenge to the alleged suspension of refugee-application processing to proceed.
STANDARD OF REVIEW	On Rule 12(b)(1), the court required plaintiffs to demonstrate subject-matter jurisdiction, construed the complaint liberally, and considered whether jurisdiction was proper. On Rule 12(b)(6), the court accepted well-pleaded factual allegations as true and determined whether the complaint stated a facially plausible claim. For the APA arbitrary-and-capricious claim, review must be based on the full administrative record before the agency when it acted.
PRECEDENTIAL VALUE	Published district-court memorandum opinion; persuasive authority within the District of Columbia but not binding on other courts.

PARTIES

Felix Ruhumuriza, Aimable Ngirimana, Thomas Sankara, Jolie Nyampundu, Naomi Mbabazi, Lawrence Muzima, Nyadete Nyamahirwe, Aimable Musore, Joshua Musore, Felix Mahirwe, Eric Ndahiriwe v. Jennifer B. Higgins, Acting Director of U.S. Citizenship and Immigration Services, Secretary of State, Secretary of Homeland Security

TOPICS

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administrative procedure act

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motions to dismiss

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QUESTIONS PRESENTED

1. Whether 8 U.S.C. § 1252(a)(2)(B)(ii) stripped the court of jurisdiction over plaintiffs' claims alleging delay in adjudicating requests for review of denied refugee applications.
2. Whether plaintiffs stated APA or mandamus claims based on unreasonable delay when they could not show a nondiscretionary duty to resolve their requests for review.
3. Whether plaintiffs had standing to challenge the Executive Order's suspension of refugee entry.
4. Whether plaintiffs' ultra vires, contrary-to-law, and notice-and-comment challenges to defendants' implementation of Executive Order 14163 were adequately presented and stated.
5. Whether plaintiffs' arbitrary-and-capricious challenge to the suspension of refugee-application processing could be dismissed without the administrative record.

HOLDINGS

1. Section 1252(a)(2)(B)(ii) does not strip jurisdiction over claims challenging delay in resolving requests for review of denied refugee applications because the challenged action is not a decision to admit a refugee and Congress did not specify by statute that the timing of the request-for-review process is discretionary.
2. Plaintiffs' processing-delay claims fail because they did not show that defendants have a nondiscretionary duty to adjudicate their requests for review.
3. Plaintiffs lack standing to challenge Executive Order 14163's suspension of refugee entry because their alleged processing-delay injury is not fairly traceable to that directive.
4. The arbitrary-and-capricious challenge to defendants' suspension of refugee-application processing survives dismissal because the court could not evaluate the claim without the administrative record.
5. The ultra vires, contrary-to-law, and notice-and-comment theories were dismissed or forfeited because the amended complaint and briefing did not adequately present and develop them.

KEY QUOTATIONS

“Again, Section 1252(a)(2)(B)(ii)’s jurisdictional bar applies only when “Congress itself” has specified that the challenged decision or action is in the Attorney General’s or Secretary’s discretion.” (at 8)

“Nevertheless, the Court concludes that the Plaintiffs have not shown that USCIS is required to act on their requests for review.” (at 12)

“The fact that the challenged suspension here is “based on the President’s Executive Order hardly seems to insulate [it] from judicial review under the APA, even if the validity of the Order were thereby drawn into question.”” (at 19)

FACTUAL BACKGROUND

The eleven plaintiffs are Congolese nationals who fled to Kenya in the mid-2010s and applied for refugee status in the United States. USCIS eventually issued each plaintiff a notice denying refugee eligibility, after which each timely submitted a Request for Review seeking reconsideration. The requests were submitted between December 2016 and March 2019, but none had received a final decision by the time of suit, leaving the plaintiffs waiting more than six years, and in some cases nine years. The plaintiffs alleged that defendants suspended processing of their requests pursuant to Executive Order 14163.

PROCEDURAL HISTORY

Plaintiffs filed suit on January 14, 2025, alleging unreasonable delay in adjudicating their requests for review of denied refugee applications. They filed an amended complaint on February 20, 2025, asserting claims under the Administrative Procedure Act, the Declaratory Judgment Act, and the Mandamus Act. Defendants moved to dismiss on April 30, 2025. The court dismissed the processing-delay claims and most theories challenging implementation of Executive Order 14163, but denied dismissal of the arbitrary-and-capricious claim because the administrative record was not before the court.

DISPOSITION

other

CASES CITED

- Wright v. Eugene & Agnes E. Meyer Foundation, 68 F.4th 612 (D.C. Cir. 2023)
- Arab v. Blinken, 600 F. Supp. 3d 59 (D.D.C. 2022)
- Cannon v. District of Columbia, 717 F.3d 200 (D.C. Cir. 2013)
- Johnson v. Becerra, 111 F.4th 1237 (D.C. Cir. 2024)
- Lujan v. Defenders of Wildlife, 504 U.S. 555 (1992)
- U.S. Ecology, Inc. v. U.S. Department of the Interior, 231 F.3d 20 (D.C. Cir. 2000)
- Thomas v. Principi, 394 F.3d 970 (D.C. Cir. 2005)
- Barr v. Clinton, 370 F.3d 1196 (D.C. Cir. 2004)
- Himex Co. v. United States, 17 F. Supp. 3d 77 (D.D.C. 2014)
- Ashcroft v. Iqbal, 556 U.S. 662 (2009)

- Bell Atlantic Corp. v. Twombly, 550 U.S. 544 (2007)
- Hettinga v. United States, 677 F.3d 471 (D.C. Cir. 2012)
- Trudeau v. FTC, 456 F.3d 178 (D.C. Cir. 2006)
- Papasan v. Allain, 478 U.S. 265 (1986)
- Kucana v. Holder, 558 U.S. 233 (2010)
- Beshir v. Holder, 10 F. Supp. 3d 165 (D.D.C. 2014)
- Mejia Rodriguez v. DHS, 562 F.3d 1137 (11th Cir. 2009)
- In re National Nurses United, 47 F.4th 746 (D.C. Cir. 2022)
- Thein v. Trump, 2025 WL 2418402 (D.D.C. Aug. 21, 2025)
- Doroodchi v. Rubio, 2025 WL 1865114 (D.D.C. July 7, 2025)
- Da Costa v. Immigrant Investor Program Office, 80 F.4th 330 (D.C. Cir. 2023)
- Mashpee Wampanoag Tribal Council, Inc. v. Norton, 336 F.3d 1094 (D.C. Cir. 2003)
- Karimova v. Abate, 2024 WL 3517852 (D.C. Cir. July 24, 2024) (per curiam)
- Chevron USA Inc. v. EPA, 45 F.4th 380 (D.C. Cir. 2022)
- Baltimore Gas & Electric Co. v. FERC, 252 F.3d 456 (D.C. Cir. 2001)
- Sierra Club v. Jackson, 648 F.3d 848 (D.C. Cir. 2011)
- Make the Road New York v. Noem, 2025 WL 3563313 (D.C. Cir. Nov. 22, 2025) (per curiam)
- Masroor v. Noem, 2025 WL 2439176 (D.D.C. Aug. 25, 2025)
- Global Health Council v. Trump, 2025 WL 2326021 (D.C. Cir. Aug. 13, 2025)
- Federal Express Corp. v. U.S. Department of Commerce, 39 F.4th 756 (D.C. Cir. 2022)
- Rosen-Kellogg v. Mayorkas, 2024 WL 2967430 (D.D.C. June 6, 2024)
- McManus v. District of Columbia, 530 F. Supp. 2d 46 (D.D.C. 2007)
- Skinner v. Switzer, 562 U.S. 521 (2011)
- Woolcock v. The Michaels Organization LLC, 2023 WL 5951980 (D.D.C. Sept. 13, 2023)
- California v. Texas, 593 U.S. 659 (2021)
- DaimlerChrysler Corp. v. Cuno, 547 U.S. 332 (2006)
- Janay v. Blinken, 743 F. Supp. 3d 96 (D.D.C. 2024)
- Bennett v. Spear, 520 U.S. 154 (1997)
- Sierra Club v. EPA, 955 F.3d 56 (D.C. Cir. 2020)
- Southern Airways Express, LLC v. U.S. Department of Transportation, 159 F.4th 50 (D.C. Cir. 2025)
- Motor Vehicle Manufacturers Association v. State Farm Mutual Automobile Insurance Co., 463 U.S. 29 (1983)
- Gomez v. Trump, 485 F. Supp. 3d 145 (D.D.C. 2020)
- SEC v. Banner Fund International, 211 F.3d 602 (D.C. Cir. 2000)
- Carducci v. Regan, 714 F.2d 171 (D.C. Cir. 1983)
- Catalyst & Chemical Services, Inc. v. Global Ground Support, 350 F. Supp. 2d 1 (D.D.C. 2004)
- Pacito v. Trump, 768 F. Supp. 3d 1199 (W.D. Wash. 2025)

- Kilburn v. Republic of Iran, 441 F. Supp. 2d 74 (D.D.C. 2006)
- In re Reid, 569 F. Supp. 2d 220 (D.D.C. 2008)
- United States v. Bowen, 194 F. App'x 393 (6th Cir. 2006)
- Capitol Area Immigrants' Rights Coalition v. Trump, 471 F. Supp. 3d 25 (D.D.C. 2020)
- Clarian Health West, LLC v. Hargan, 878 F.3d 346 (D.C. Cir. 2017)
- Schneider v. Kissinger, 412 F.2d 190 (D.C. Cir. 2005)

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