

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF HAWAII

Juan Manuel Delgado v. Markwayne Mullin, Secretary, Department of Homeland Security, et al.

Delgado v. Mullin · No. Civ. No. 24-00560 JMS-RT; 1:24-cv-00560 · Decided June 17, 2026

SUMMARY

The court grants defendants’ motion to dismiss Juan Manuel Delgado’s petition for de novo review of the denial of his naturalization application under 8 U.S.C. § 1421(c). It holds that exhaustion of administrative remedies under § 1421(c) is prudential rather than jurisdictional and that requiring further exhaustion would be futile. The court concludes that Delgado cannot state a claim because he was not lawfully admitted for permanent residence and the denial of his I-751 petition must be reviewed in removal proceedings rather than in the district court.

CASE DETAILS

COURT	United States District Court for the District of Hawaii
WRITING FOR THE COURT	J. Michael Seabright
JURISDICTION	U.S. District Court for the District of Hawaii
DECIDED	June 17, 2026
DOCKET	Civ. No. 24-00560 JMS-RT; 1:24-cv-00560
DISPOSITION	dismissed
PROCEDURAL POSTURE	Plaintiff sought de novo district-court review under 8 U.S.C. § 1421(c) of USCIS's denial of his naturalization application. Defendants moved to dismiss for failure to exhaust administrative remedies and failure to state a claim.
STANDARD OF REVIEW	Under Federal Rule of Civil Procedure 12(b)(6), the court accepts material allegations as true and construes them in the light most favorable to the nonmoving party, but the pleading must state a plausible claim for relief.
PRECEDENTIAL VALUE	unknown
PARTIES	Juan Manuel Delgado v. Markwayne Mullin, Secretary, Department of Homeland Security, Kika Scott, Director, United States Citizenship and Immigration Services, Anne Corsano, District Director, USCIS, Jayci Roney, Honolulu Field Office Director, USCIS

TOPICS

naturalization

immigration

exhaustion of remedies

motions to dismiss

statutory interpretation

PRACTICE AREAS

immigration and naturalization

administrative law

civil procedure

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QUESTIONS PRESENTED

1. Whether exhaustion of administrative remedies under 8 U.S.C. § 1421(c) is jurisdictional or prudential.
2. Whether the court should excuse exhaustion because requiring Delgado to pursue another N-336 administrative review would be futile.
3. Whether a district court reviewing a naturalization denial under § 1421(c) may review USCIS's termination or denial of an I-751 petition.
4. Whether termination of Delgado's conditional permanent resident status while his N-400 application was pending rendered him ineligible for naturalization.

HOLDINGS

1. The exhaustion requirement associated with § 1421(c) is prudential rather than jurisdictional.
2. The court excused exhaustion because another N-336 review would be futile.
3. Termination of Delgado's conditional permanent resident status while his N-400 application was pending rendered him ineligible for naturalization.
4. A district court reviewing a naturalization denial under § 1421(c) may not review the denial or termination of an I-751 petition; that determination must be reviewed in removal proceedings before an immigration judge.

KEY QUOTATIONS

“The court therefore determines that § 1421(c)’s exhaustion requirement is prudential, not jurisdictional.”
(Section IV.A.1)

“The termination of Delgado’s CPR status while his N-400 Application was pending rendered him ineligible for naturalization, and the court’s review authority under § 1421 does not extend to the termination of his CPR status.” (Section IV.B.2)

“For the foregoing reasons, the court GRANTS Defendants’ Motion to Dismiss, ECF No. 66. The Clerk shall close this case.” (Section V)

FACTUAL BACKGROUND

Delgado, an Argentine citizen, entered the United States in 2001 on a B-2 visa and later obtained conditional permanent resident status through his marriage to a United States citizen. USCIS denied the couple's joint I-751 petition, terminated Delgado's conditional permanent resident status, and denied his N-400 application because he was not lawfully admitted for permanent residence and had not established good moral character. Although

Delgado was placed in removal proceedings and could have sought review of the I-751 denial before an immigration judge, he instead obtained dismissal of those proceedings; USCIS later denied his second I-751 waiver.

PROCEDURAL HISTORY

Delgado filed successive petitions seeking review of the denial of his N-400 naturalization application, culminating in a Third Amended Petition filed on January 20, 2026. USCIS had denied his application after terminating his conditional permanent resident status and had denied his I-751 petitions or waiver requests. The district court held that exhaustion under § 1421(c) was prudential and excused exhaustion as futile, but granted the motion to dismiss because Delgado was no longer lawfully admitted for permanent residence and the court lacked authority to review the I-751 termination in the naturalization proceeding.

DISPOSITION

dismissed

CASES CITED

- United States v. Ritchie, 342 F.3d 903, 908 (9th Cir. 2003)
- Khoja v. Orexigen Therapeutics, Inc., 899 F.3d 988, 1002-03 (9th Cir. 2018)
- Marder v. Lopez, 450 F.3d 445, 448 (9th Cir. 2006)
- Pell v. Nuñez, 99 F.4th 1128, 1133 (9th Cir. 2024)
- Shroyer v. New Cingular Wireless Services, Inc., 622 F.3d 1035, 1041 (9th Cir. 2010)
- Ashcroft v. Iqbal, 556 U.S. 662, 678 (2009)
- Dent v. National Football League, 968 F.3d 1126, 1130 (9th Cir. 2020)
- Chubb Custom Insurance Co. v. Space Systems/Loral, Inc., 710 F.3d 946, 956 (9th Cir. 2013)
- League of United Latin American Citizens v. Wheeler, 899 F.3d 814, 826 (9th Cir. 2018)
- McCarthy v. Madigan, 503 U.S. 140, 145-46 (1992)
- Santos-Zacaria v. Garland, 598 U.S. 411, 416-19 (2023)
- Woodford v. Ngo, 548 U.S. 81, 90 (2006)
- United States v. L.A. Trucker Truck Lines, Inc., 344 U.S. 33 (1952)
- Puga v. Chertoff, 488 F.3d 812, 815 (9th Cir. 2007)
- Laing v. Ashcroft, 370 F.3d 994, 997-1000 (9th Cir. 2004)
- Castro-Cortez v. INS, 239 F.3d 1037, 1047 (9th Cir. 2001)
- Eche v. Holder, 694 F.3d 1026, 1028 (9th Cir. 2012)
- United States v. Hovsepian, 359 F.3d 1144, 1161-63 & n.15 (9th Cir. 2004)
- Sheikh v. Lynch, 2015 WL 7731802, at *3 (N.D. Cal. Dec. 1, 2015)
- Diaz v. United Agricultural Employee Welfare Benefit Plan & Trust, 50 F.3d 1478, 1485 (9th Cir. 1995)
- Elias v. Knight, 817 F. Supp. 3d 986, 997 (D. Idaho 2025)
- United States v. Ginsberg, 243 U.S. 472, 475 (1917)

- Fedorenko v. United States, 449 U.S. 490, 506 (1981)
- Turfah v. USCIS, 845 F.3d 668, 671 (6th Cir. 2017)
- Al-Saadoon v. Barr, 973 F.3d 794, 801-02 (8th Cir. 2020)
- Saliba v. Attorney General of the United States, 828 F.3d 182, 191 (3d Cir. 2016)
- Injeti v. USCIS, 737 F.3d 311, 316 (4th Cir. 2013)
- Kyong Ho Shin v. Holder, 607 F.3d 1213, 1217 (9th Cir. 2010)
- Monet v. INS, 791 F.2d 752, 753 (9th Cir. 1986)
- State v. Su, 121 F.4th 1, 13 (9th Cir. 2024)
- National Railroad Passenger Corp. v. National Association of Railroad Passengers, 414 U.S. 453, 458 (1974)
- Barnhart v. Peabody Coal Co., 537 U.S. 149, 168 (2003)
- Gicharu v. Carr, 983 F.3d 13, 16 (1st Cir. 2020)
- Bhadmus v. USCIS, 2016 WL 5946842, at *3 (S.D. Ind. Sept. 30, 2016)
- Akpovi v. Douglas, 2021 WL 1222233, at *6 (D. Neb. Apr. 1, 2021)
- Ratcher v. Secretary of Department of Homeland Security, 2021 WL 8314612, at *2 n.3 (C.D. Cal. Feb. 1, 2021)
- Howard v. U.S. Department of Homeland Security, 2026 WL 1328172, at *4 (D. Kan. May 13, 2026)
- El Tayieb v. Mayorkas, 743 F. Supp. 3d 44, 60-61 (D.D.C. 2024)
- Simaga v. USCIS, 2022 WL 4133232, at *3-4 (S.D. Ohio Sept. 12, 2022)
- Ye v. Holder, 2010 WL 2734815, at *6 (N.D. Cal. July 12, 2010)
- Onyekaba v. USCIS, 2016 WL 8225421, at *3 (N.D. Ala. Nov. 9, 2016)
- Zia v. Garland, 112 F.4th 1194, 1199-1200 (9th Cir. 2024)