

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF MARYLAND

Salka Barca, et al. v. Mustapha Adib

Barca v. Adib · No. SAG-25-03480 · Decided December 8, 2025

SUMMARY

The United States District Court for the District of Maryland denied Plaintiffs Salka Barca and Najat Allili’s emergency motion for injunctive relief against Mustapha Adib. The court held that Plaintiffs were unlikely to succeed on their claims under the federal cyberstalking statute and civil RICO because the cyberstalking statute provides no private right of action and the complaint did not allege a RICO enterprise or racketeering activity. The court also granted Plaintiffs’ motion to seal an affidavit.

CASE DETAILS

COURT	United States District Court for the District of Maryland
WRITING FOR THE COURT	Stephanie A. Gallagher
JURISDICTION	United States District Court for the District of Maryland
DECIDED	December 8, 2025
DOCKET	SAG-25-03480
DISPOSITION	other
PROCEDURAL POSTURE	Plaintiffs sought emergency injunctive relief before effecting service of process. The court denied the motion because plaintiffs could not establish a likelihood of success on the merits of either asserted federal claim.
STANDARD OF REVIEW	A temporary restraining order and preliminary injunction require the movant to establish likelihood of success on the merits, likely irreparable harm, a balance of equities favoring relief, and that relief is in the public interest. The movant must establish all four elements.
PRECEDENTIAL VALUE	nonprecedential
PARTIES	Salka Barca, Najat Allili v. Mustapha Adib

TOPICS

- injunctions
- civil procedure
- torts
- remedies

PRACTICE AREAS

civil procedure

injunctive relief

civil RICO

cyberstalking

QUESTIONS PRESENTED

1. Whether plaintiffs were entitled to a temporary restraining order or preliminary injunction.
2. Whether plaintiffs demonstrated a likelihood of success on their claim under the cyberstalking provisions of the Violence Against Women Act, 18 U.S.C. § 2261A.
3. Whether plaintiffs demonstrated a likelihood of success on their civil RICO claim under 18 U.S.C. § 1962(c).

HOLDINGS

1. Plaintiffs were not entitled to a temporary restraining order or preliminary injunction because they failed to establish a likelihood of success on the merits, an essential element of preliminary injunctive relief.
2. Section 2261A does not provide a private right of action for civil litigants; therefore, plaintiffs could not establish a likelihood of success on their cyberstalking claim under that statute.
3. Plaintiffs failed to plead a viable civil RICO claim because they alleged neither a RICO enterprise nor any racketeering activity, and therefore could not establish a likelihood of success on the civil RICO claim.

KEY QUOTATIONS

“The movant must establish all four elements in order to prevail.” (III)

“Because Plaintiffs have not alleged an enterprise nor any racketeering activity, their civil RICO claim is also deficient.” (III)

FACTUAL BACKGROUND

Plaintiffs, Maryland residents and self-described human rights advocates, alleged that defendant published false and damaging statements about them on social-media platforms from July 2023 through the present. They alleged that the statements were connected to their human-rights work on Sahrawi issues and that defendant used a pro-Moroccan military online persona. Plaintiffs asserted cyberstalking and civil RICO claims and sought emergency injunctive relief.

PROCEDURAL HISTORY

Plaintiffs filed a complaint alleging claims under the federal cyberstalking statute, 18 U.S.C. § 2261A, and civil RICO, 18 U.S.C. § 1962(c). Before serving defendant, they filed an Emergency Motion for Injunctive Relief. The court denied that motion and separately granted plaintiffs' motion to seal an affidavit.

DISPOSITION

other

CASES CITED

- *Maages Auditorium v. Prince George's County*, 4 F. Supp. 3d 752, 760 n.1 (D. Md. 2014)
- *Maages Auditorium v. Prince George's County*, 681 F. App'x 256 (4th Cir. 2017)
- *League of Women Voters of N.C. v. North Carolina*, 769 F.3d 224, 236 (4th Cir. 2014)
- *Winter v. Nat. Res. Def. Council, Inc.*, 555 U.S. 7, 20 (2008)
- *Accident, Inj. and Rehab., PC v. Azar*, 943 F.3d 195, 201 (4th Cir. 2019)
- *Frazier v. Prince George's County*, 86 F.4th 537, 544 (4th Cir. 2023)
- *Ultimate Outdoor Movies, LLC v. FunFlicks, LLC*, 2019 WL 2642838, at *6 (D. Md. June 27, 2019)
- *Munaf v. Geren*, 553 U.S. 674, 689-90 (2008)
- *MicroStrategy, Inc. v. Motorola, Inc.*, 245 F.3d 335, 339 (4th Cir. 2001)
- *Direx Israel, Ltd. v. Breakthrough Med. Corp.*, 952 F.2d 802, 816 (4th Cir. 1991)
- *Roe v. Dep't of Def.*, 947 F.3d 207, 219 (4th Cir. 2020)
- *Di Biase v. SPX Corp.*, 872 F.3d 224, 230 (4th Cir. 2017)
- *Cain v. Christine Valmy Int'l Sch. of Esthetics, Skin Care, & Makeup*, 216 F. Supp. 3d 328, 335 (S.D.N.Y. 2016)
- *ESAB Grp., Inc. v. Centricut, Inc.*, 126 F.3d 617, 626 (4th Cir. 1997)
- *U.S. Airline Pilots Ass'n v. Awappa, LLC*, 615 F.3d 312, 317 (4th Cir. 2010)
- *Gamboa v. Velez*, 457 F.3d 703, 705 (7th Cir. 2006)
- *Flip Mortg. Corp. v. McElhone*, 841 F.2d 531, 538 (4th Cir. 1988)
- *Morley v. Cohen*, 888 F.2d 1006, 1009 (4th Cir. 1989)
- *Sedima, S.P.R.L. v. Imrex Co., Inc.*, 473 U.S. 479, 496 (1985)
- *Menasco, Inc. v. Wasserman*, 886 F.2d 681, 683 (4th Cir. 1989)
- *Biggs v. Eaglewood Mortg., LLC*, 582 F. Supp. 2d 707, 714 (D. Md. 2008)
- *GE Inv. Priv. Placement Partners II v. Parker*, 247 F.3d 543, 551 (4th Cir. 2001)
- *Proctor v. Metro. Money Store Corp.*, 645 F. Supp. 2d 464, 477-78 (D. Md. 2009)
- *United States v. Tillett*, 763 F.2d 628, 631 n.2 (4th Cir. 1985)
- *Levine v. First Am. Title Ins. Co.*, 682 F. Supp. 2d 442, 457 (E.D. Pa. 2010)
- *Toucheque v. Price Bros. Co.*, 5 F. Supp. 2d 341, 346-47 (D. Md. 1998)
- *Mitchell Tracey v. First Am. Title Ins. Co.*, 935 F. Supp. 2d 826, 842 (D. Md. 2013)
- *H.J. Inc. v. Nw. Bell Tel. Co.*, 492 U.S. 229, 239 (1989)

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