

UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF
FLORIDA

Marlen Mesa Martinez v. Kristi Noem, Secretary, U.S. Department of
Homeland Security, et al.

Mesa Martinez v. Noem · No. 1:25-cv-23758-RAR · Decided February 19, 2026

SUMMARY

The United States District Court for the Southern District of Florida granted Defendants’ motion to dismiss an action seeking mandamus, Administrative Procedure Act review, and declaratory relief concerning USCIS’s adjudication of the plaintiff’s Form I-485 application. The court held that the case was moot because the application had been adjudicated and alternatively concluded that the court lacked jurisdiction to review USCIS’s discretionary denial of adjustment of status under the Cuban Refugee Adjustment Act.

CASE DETAILS

COURT	United States District Court for the Southern District of Florida
JURISDICTION	United States District Court for the Southern District of Florida
DECIDED	February 19, 2026
DOCKET	1:25-cv-23758-RAR
DISPOSITION	dismissed
PROCEDURAL POSTURE	Defendants moved to dismiss Plaintiff's amended complaint seeking mandamus relief, APA judicial review, and declaratory relief. The court granted the motion under Rule 12(b)(1) and Rule 12(b)(6) grounds and closed the case.
STANDARD OF REVIEW	For a facial Rule 12(b)(1) jurisdictional attack, the court determines whether the complaint sufficiently alleges a basis for subject matter jurisdiction. The party invoking federal jurisdiction bears the burden of establishing it. The court also applied the Rule 12(b)(6) standard asserted in the alternative by Defendants.
PRECEDENTIAL VALUE	Unknown
PARTIES	Marlen Mesa Martinez v. Kristi Noem, Secretary, U.S. Department of Homeland Security, Joseph B. Edlow, Todd M. Lyons, Pete R. Flores, Robbert Hammer

TOPICS

mandamus immigration adjustment of status administrative procedure act subject matter jurisdiction
motions to dismiss

PRACTICE AREAS

Immigration law Administrative law Civil procedure Federal jurisdiction Mandamus

QUESTIONS PRESENTED

1. Whether USCIS's adjudication of Plaintiff's Form I-485 application mooted her action seeking an order compelling adjudication.
2. Whether the court could grant mandamus relief to compel USCIS to find Plaintiff eligible for adjustment of status or to apply governing precedent in a particular manner.
3. Whether the APA permits judicial review of USCIS's discretionary denial of adjustment of status under the Cuban Refugee Adjustment Act.

HOLDINGS

1. USCIS's adjudication of Plaintiff's application eliminated the relief sought in the initial complaint and rendered the case moot because no live controversy remained for which the court could provide meaningful relief.
2. Mandamus relief was unavailable because Plaintiff did not establish a clear and indisputable right to the requested relief or a clear, nondiscretionary duty requiring Defendants to grant adjustment of status or reach a particular conclusion.
3. The APA did not provide jurisdiction to review USCIS's discretionary denial of Plaintiff's adjustment-of-status application because the adjustment decision was committed to agency discretion by law.

KEY QUOTATIONS

"If events that occur subsequent to the filing of a lawsuit or an appeal deprive the court of the ability to give the plaintiff or appellant meaningful relief, then the case is moot and must be dismissed." (at 3)

"A court can only exercise jurisdiction to grant mandamus relief where '(1) the plaintiff has a clear right to the relief requested; (2) the defendant has a clear duty to act; and (3) no other adequate remedy is available.'" (at 5)

"mandamus relief is only available when 'a government officer owes [a plaintiff] a legal duty that is a specific, ministerial act, devoid of the exercise of judgment or discretion.'" (at 6)

"Because USCIS's action in [Plaintiffs] adjustment application is committed to agency discretion by the CAA, the APA does not provide the district court with jurisdiction." (at 7)

FACTUAL BACKGROUND

Plaintiff applied to USCIS for adjustment of status using Form I-485 under the Cuban Refugee Adjustment Act. She initially sued to compel USCIS to adjudicate the application, but USCIS adjudicated and denied it during the litigation. The notice of decision stated that Plaintiff was inadmissible under INA § 212(a)(2)(C)(i) and that, independently, USCIS would deny adjustment as a matter of discretion after weighing favorable and unfavorable factors.

PROCEDURAL HISTORY

Plaintiff filed an action seeking to compel adjudication of her Form I-485 application for adjustment of status. USCIS adjudicated the application while the case was pending, after which Plaintiff filed an amended complaint seeking review of the denial and related relief. Defendants moved to dismiss, arguing that the case was moot and that the court lacked jurisdiction to review USCIS's discretionary denial. The court granted the motion and ordered the clerk to close the case.

DISPOSITION

dismissed

CASES CITED

- Lawrence v. Dunbar, 919 F.2d 1525, 1528-29 (11th Cir. 1990)
- Mafundu v. Mayorkas, 699 F. Supp. 3d 1310, 1310-13 (S.D. Fla. 2023)
- Carmichael v. Kellogg, Brown & Root Servs., Inc., 572 F.3d 1271, 1279 (11th Cir. 2009)
- Kokkonen v. Guardian Life Ins. Co. of Am., 511 U.S. 375, 377 (1994)
- Soliman v. United States ex rel. INS, 296 F.3d 1237, 1242 (11th Cir. 2002)
- Al Najjar v. Ashcroft, 273 F.3d 1330, 1336 (11th Cir. 2001)
- Fla. Ass'n of Rehab. Facilities, Inc. v. Fla. Dep't of Health and Rehab. Servs., 225 F.3d 1208, 1216-17 (11th Cir. 2000)
- Gray v. Sec'y for Dep't of Homeland Sec., 452 F. App'x 873, 875 (11th Cir. 2011) (per curiam)
- Bathazi v. U.S. Dep't of Homeland Sec., 667 F. Supp. 2d 1375, 1378 (S.D. Fla. 2009)
- Friends of the Earth, Inc. v. Laidlaw Envtl. Servs. (TOC) Inc., 528 U.S. 167, 189 (2000)
- Health Freedom Def. Fund v. President of United States, 71 F.4th 888, 893 (11th Cir. 2023)
- Serrano v. U.S. Att'y Gen., 655 F.3d 1260, 1263 (11th Cir. 2011)
- Hakki v. Sec'y, Dep't of Veterans Affs., 7 F.4th 1012, 1037-38 (11th Cir. 2021)
- Alabama v. United States, 198 F. Supp. 3d 1263, 1275 (N.D. Ala. 2016)
- Dunn-McCampbell Royalty Interest, Inc. v. Nat'l Park Serv., 112 F.3d 1283, 1288 (5th Cir. 1997)
- Hayes v. Swacina, No. 14-22506, 2015 WL 12778781, at *3 (S.D. Fla. Mar. 31, 2015)
- Valdivia v. U.S. Att'y Gen., 380 F. App'x 793, 795 (11th Cir. 2010)
- Garriga v. Hackbarth, 548 F. App'x 559, 561 (11th Cir. 2013)

Retrieved from lawtools.ai · <https://lawtools.ai/cases/state/united-states-district-court-for-the-southern-district-of-florida-united-states-district-court-for-t/2026/marlen-mesa-martinez-v-kristi-noem-secretary-u-s-department-ea39umw0>