

SUPREME COURT OF THE UNITED STATES

Pankajkumar S. Patel et al. v. Merrick B. Garland, Attorney General

596 U.S. ____ (2022) · No. No. 20-979 · Decided May 16, 2022

SUMMARY

The Supreme Court held that federal courts lack jurisdiction to review factual findings made in discretionary-relief proceedings under 8 U.S.C. § 1255 and the other provisions listed in 8 U.S.C. § 1252(a)(2)(B)(i). The Court interpreted the statute's bar on reviewing "any judgment regarding the granting of relief" to encompass factual determinations underlying the denial of relief, while preserving review of constitutional claims and questions of law under § 1252(a)(2)(D). The Court affirmed the Eleventh Circuit's judgment.

CASE DETAILS

COURT	Supreme Court of the United States
WRITING FOR THE COURT	Justice Barrett; Chief Justice Roberts; Justice Thomas; Justice Alito; Justice Kavanaugh; Justice Gorsuch; Justice Breyer; Justice Sotomayor; Justice Kagan
JURISDICTION	Federal
DECIDED	May 16, 2022
DOCKET	No. 20-979
DISPOSITION	affirmed
PROCEDURAL POSTURE	Petition for review of a removal order and denial of discretionary adjustment of status; the Supreme Court granted certiorari to review the Eleventh Circuit's determination that it lacked jurisdiction to review factual findings underlying the denial of adjustment of status.
STANDARD OF REVIEW	The jurisdictional question concerning the scope of 8 U.S.C. § 1252(a)(2)(B)(i) was reviewed de novo. The underlying administrative findings of fact were subject by statute to review only if any reasonable adjudicator would be compelled to conclude to the contrary, but the Court held that § 1252(a)(2)(B)(i) stripped jurisdiction to conduct that factual review.
PRECEDENTIAL VALUE	binding precedent
PARTIES	Pankajkumar S. Patel et al. v. Merrick B. Garland, Attorney General

TOPICS

adjustment of status removal proceedings appellate jurisdiction statutory interpretation
judicial review of agency action

PRACTICE AREAS

immigration law administrative law federal jurisdiction appellate procedure

QUESTIONS PRESENTED

1. Whether 8 U.S.C. § 1252(a)(2)(B)(i) bars federal courts from reviewing factual findings made as part of discretionary-relief proceedings under 8 U.S.C. § 1255.
2. Whether the statutory exception in 8 U.S.C. § 1252(a)(2)(D) preserves judicial review of factual questions underlying a denial of adjustment of status.

HOLDINGS

1. Federal courts lack jurisdiction under 8 U.S.C. § 1252(a)(2)(B)(i) to review facts found as part of discretionary-relief proceedings under § 1255 and the other provisions enumerated in that subsection.
2. The presumption favoring judicial review does not apply because the text and statutory context of § 1252(a)(2)(B)(i) clearly preclude judicial review of factual determinations in the discretionary-relief context.

KEY QUOTATIONS

“With an exception for legal and constitutional questions, Congress has barred judicial review of the Attorney General’s decisions denying discretionary relief from removal. We must decide how far this bar extends—specifically, whether it precludes judicial review of factual findings that underlie a denial of relief. It does.”
(1)

“Federal courts lack jurisdiction to review facts found as part of discretionary-relief proceedings under §1255 and the other provisions enumerated in §1252(a)(2)(B)(i).” (17)

FACTUAL BACKGROUND

Pankajkumar Patel and his wife entered the United States illegally in the 1990s. Patel sought adjustment of status under 8 U.S.C. § 1255(i), but USCIS determined that he was inadmissible because he had checked a box falsely representing that he was a United States citizen on a Georgia driver's-license application. During later removal proceedings, Patel conceded removability but renewed his adjustment request, claiming that he had checked the box by mistake; the Immigration Judge found his testimony not credible and found that he intentionally misrepresented his citizenship.

PROCEDURAL HISTORY

USCIS denied Patel's adjustment-of-status application after finding that his false representation of United States citizenship on a Georgia driver's-license application rendered him inadmissible. In removal proceedings, an

Immigration Judge found that Patel intentionally misrepresented his citizenship, denied adjustment of status, and ordered Patel and his wife removed; the Board of Immigration Appeals dismissed the appeal. The Eleventh Circuit panel and then the en banc court held that 8 U.S.C. § 1252(a)(2)(B)(i) deprived the court of jurisdiction to review the factual findings. The Supreme Court affirmed.

DISPOSITION

affirmed

CASES CITED

- United States v. Detroit Timber & Lumber Co., 200 U.S. 321, 337 (1906)
- INS v. St. Cyr, 533 U.S. 289, 300, 307-308, 314 (2001)
- INS v. Bagamasbad, 429 U.S. 24, 25-26 (1976) (per curiam)
- Matter of Richmond, 26 I. & N. Dec. 779, 786-787 (BIA 2016)
- Patel v. United States Atty. Gen., 917 F.3d 1319, 1327 (11th Cir. 2019)
- Patel v. United States Atty. Gen., 971 F.3d 1258, 1272-1273 (11th Cir. 2020)
- Babb v. Wilkie, 589 U.S. ____ (2020)
- United States v. Gonzales, 520 U.S. 1, 5 (1997)
- Lamar, Archer & Cofrin, LLP v. Appling, 584 U.S. ____ (2018)
- Guerrero-Lasprilla v. Barr, 589 U.S. ____ (2020)
- Nasrallah v. Barr, 590 U.S. ____ (2020)
- Teva Pharmaceuticals USA, Inc. v. Sandoz, Inc., 574 U.S. 318, 327 (2015)
- Kucana v. Holder, 558 U.S. 233, 246-247 (2010)
- Niz-Chavez v. Garland, 593 U.S. ____ (2021)
- Jay v. Boyd, 351 U.S. 345, 357 (1956)
- Reno v. Catholic Social Services, Inc., 509 U.S. 43, 56 (1993)
- Block v. Community Nutrition Institute, 467 U.S. 340, 349 (1984)
- Lee v. USCIS, 592 F.3d 612, 620 (4th Cir. 2010)