

UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF
TEXAS, HOUSTON DIVISION

Israt Jahan, et al. v. Ur M. Jaddou, et al.

Civil Action No. 4:24-CV-4559 (S.D. Tex. Mar. 6, 2026) · No. 4:24-CV-4559 · Decided March 6, 2026

SUMMARY

The United States District Court for the Southern District of Texas dismissed without prejudice a lawsuit challenging the denial of Israt Jahan’s applications for adjustment of status and a waiver of inadmissibility. Relying on 8 U.S.C. § 1252(a)(2)(B)(i) and Fifth Circuit precedent, the court held that it lacked subject matter jurisdiction to review those discretionary determinations. The court also rejected the plaintiffs’ argument that due process provided an alternative basis for jurisdiction.

CASE DETAILS

COURT	United States District Court for the Southern District of Texas, Houston Division
WRITING FOR THE COURT	George C. Hanks, Jr.
JURISDICTION	United States District Court for the Southern District of Texas, Houston Division
DECIDED	March 6, 2026
DOCKET	4:24-CV-4559
DISPOSITION	dismissed
PROCEDURAL POSTURE	Plaintiffs brought an action under the Administrative Procedure Act seeking review of the denials of an application for adjustment of status and an application for a waiver of inadmissibility. Defendants moved to dismiss for lack of subject matter jurisdiction under Federal Rule of Civil Procedure 12(b)(1).
STANDARD OF REVIEW	On a Rule 12(b)(1) motion, the court may consider the complaint, the complaint supplemented by undisputed facts in the record, or the complaint supplemented by undisputed facts and the court's resolution of disputed facts. The party asserting federal subject matter jurisdiction bears the burden of proving jurisdiction by a preponderance of the evidence.
PRECEDENTIAL VALUE	district court memorandum opinion; precedential status not stated

PARTIES

Israt Jahan, Iftekhar Basith, Fatima Iftekhar, Jubaida Iftekhar, Mehwish Iftekhar, Nurjahan Begum v. Ur M. Jaddou, Joseph Edlow, Carolyn Kemokai

TOPICS

subject matter jurisdiction motions to dismiss adjustment of status judicial review of agency action
immigration

PRACTICE AREAS

immigration administrative law federal civil procedure constitutional law

QUESTIONS PRESENTED

1. Whether 8 U.S.C. § 1252(a)(2)(B)(i) stripped the district court of subject matter jurisdiction to review the denials of Jahan's applications for adjustment of status and waiver of inadmissibility.
2. Whether Plaintiffs' asserted Due Process Clause theory supplied jurisdiction or a viable claim despite the absence of a pleaded Fifth Amendment due-process claim.

HOLDINGS

1. 8 U.S.C. § 1252(a)(2)(B)(i) precludes judicial review of denials of applications for adjustment of status and waivers of inadmissibility, requiring dismissal for lack of subject matter jurisdiction.
2. Plaintiffs' Due Process Clause argument did not establish jurisdiction because they had not pleaded a Fifth Amendment due-process claim, and, in any event, adjustment of status is not a liberty or property interest protected by due process.

KEY QUOTATIONS

“8 U.S.C. § 1252(a)(2)(B)(i) precludes judicial review of denials of applications for adjustment of status and waivers of inadmissibility.” (p. 3)

“Because Nyika had no liberty interest in adjustment of status, there can be no due process violation.” (p. 3)

“This circuit has repeatedly held that discretionary relief from removal, including an application for an adjustment of status, is not a liberty or property right that requires due process protection.” (p. 3)

FACTUAL BACKGROUND

Israt Jahan, a native of Bangladesh and Canadian citizen residing in the United States, applied in 2018 for adjustment of status as the derivative spouse beneficiary of an employment-based immigrant petition. USCIS determined that she was inadmissible under 8 U.S.C. § 1182(a)(6)(C)(i) based on allegations that she had used a false name and fraudulent documents and had entered into a sham marriage in connection with a 1999 diversity-visa application. USCIS denied both her adjustment application and her application for a waiver of inadmissibility, prompting this suit.

PROCEDURAL HISTORY

USCIS denied Israt Jahan's Form I-485 application for adjustment of status and Form I-601 application for a waiver of inadmissibility. Plaintiffs then filed this federal action seeking judicial review and declaratory relief. The district court granted Defendants' Rule 12(b)(1) motion and dismissed the action without prejudice for lack of subject matter jurisdiction.

DISPOSITION

dismissed

CASES CITED

- *Ramming v. United States*, 281 F.3d 158, 161 (5th Cir. 2001)
- *Ballew v. Continental Airlines, Inc.*, 668 F.3d 777, 781 (5th Cir. 2012)
- *Coury v. Prot*, 85 F.3d 244, 248 (5th Cir. 1996)
- *Walch v. Adjutant General's Department of Texas*, 533 F.3d 289, 293 (5th Cir. 2008)
- *Home Builders Association of Mississippi, Inc. v. City of Madison, Mississippi*, 143 F.3d 1006, 1010 (5th Cir. 1998)
- *Momin v. Jaddou*, 113 F.4th 552, 560 (5th Cir. 2024)
- *Nyika v. Holder*, 571 Fed. App'x 351, 352 (5th Cir. 2014)
- *Ahmed v. Gonzales*, 447 F.3d 433, 440 (5th Cir. 2006)
- *Vasylchenko v. United States Citizenship and Immigration Services*, No. 3:21-CV-2815, 2022 WL 2953018, at *3 (N.D. Tex. July 25, 2022)

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