

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLUMBIA

Olha Noha v. Washington Dulles International Airport et al.

Noha · No. Civil Action No. 25-1682 (RBW) · Decided March 10, 2026

SUMMARY

The United States District Court for the District of Columbia granted defendants' motions to dismiss Olha Noha's action challenging her ban from Washington Dulles International Airport. The court held that venue was improper in the District of Columbia because the relevant defendants and events were located in Virginia, and dismissed the case without prejudice under Federal Rule of Civil Procedure 12(b)(3) rather than transferring it.

CASE DETAILS

COURT	United States District Court for the District of Columbia
WRITING FOR THE COURT	Reggie B. Walton
JURISDICTION	United States District Court for the District of Columbia
DECIDED	March 10, 2026
DOCKET	Civil Action No. 25-1682 (RBW)
DISPOSITION	dismissed
PROCEDURAL POSTURE	Plaintiff filed a pro se civil action in the District of Columbia. Defendants moved to dismiss for improper venue under Federal Rule of Civil Procedure 12(b)(3).
STANDARD OF REVIEW	On a Rule 12(b)(3) motion, the court accepts well-pleaded factual allegations regarding venue as true, draws reasonable inferences in the plaintiff's favor, resolves factual conflicts in the plaintiff's favor, and may consider materials outside the pleadings. The plaintiff bears the burden of establishing that venue is proper.
PRECEDENTIAL VALUE	Published district court memorandum opinion; persuasive authority within the District of Columbia but not binding precedent outside the court's authority.
PARTIES	Olha Noha v. Washington Dulles International Airport, Metropolitan Washington Airports Authority Police Department, MWAA Police Department, John Potter

TOPICS

venue

motions to dismiss

civil procedure

civil rights

PRACTICE AREAS

civil procedure

venue

civil rights

QUESTIONS PRESENTED

1. Whether venue was proper in the District of Columbia under 28 U.S.C. § 1391(b).
2. Whether the action should be dismissed or transferred under Federal Rule of Civil Procedure 12(b)(3) and 28 U.S.C. § 1406(a).

HOLDINGS

1. Venue was not proper in the District of Columbia under § 1391(b)(1) because the defendants did not all reside in the same state.
2. Venue was proper in the Eastern District of Virginia, not the District of Columbia, because all events giving rise to Noha's claims occurred at Dulles in Virginia.
3. Dismissal without prejudice, rather than transfer, was appropriate because Noha did not oppose either motion and showed no indication that she intended to prosecute the case.

KEY QUOTATIONS

“Because it is the plaintiff’s obligation to institute the action in a permissible forum, the plaintiff usually bears the burden of establishing that venue is proper.” (at 3)

“Accordingly, venue is not established under § 1391(b)(1), because the defendants do not all reside in the same state.” (at 5)

“With no indication that Noha has any intention to prosecute this case, the Court declines to transfer it to another federal court, and instead dismisses it without prejudice pursuant to Federal Rule 12(b)(3).” (at 6)

FACTUAL BACKGROUND

Noha alleged that she was improperly banned from Washington Dulles International Airport after allegedly repeatedly trespassing there after hours without airport business. She claimed that the ban was humiliating, discriminatory, violated her civil rights, and was unlawful because the airport was not subject to local trespass laws. Dulles and the police department are physically located in Dulles, Virginia, and Potter resides in Maryland; the events underlying the claims occurred at Dulles.

PROCEDURAL HISTORY

Noha filed the action on May 28, 2025, and later added John Potter as a defendant. Dulles and the police department moved to dismiss, followed by Potter. After the court twice advised Noha to respond and warned that failure to respond could result in dismissal, she filed no opposition, did not update her address, and stopped participating. The court granted both motions and dismissed the action without prejudice for improper venue.

DISPOSITION

dismissed

CASES CITED

- Fox v. Strickland, 837 F.2d 507, 509 (D.C. Cir. 1988) (per curiam)
- Pendleton v. Mukasey, 552 F. Supp. 2d 14, 17 (D.D.C. 2008)
- Williams v. GEICO Corp., 792 F. Supp. 2d 58, 62 (D.D.C. 2011)
- McCain v. Bank of America, 13 F. Supp. 3d 45, 51 (D.D.C. 2014)
- Land v. Dollar, 330 U.S. 731, 735 n.4 (1947)
- Freeman v. Fallin, 254 F. Supp. 2d 52, 56 (D.D.C. 2003)
- Johnson v. Deloitte Services, LLP, 939 F. Supp. 2d 1, 3 (D.D.C. 2013)
- Roland v. Branch Banking & Trust Corp., 149 F. Supp. 3d 61, 67 (D.D.C. 2015)
- Atlantic Marine Construction Co. v. United States District Court for the Western District of Texas, 571 U.S. 49, 55 (2013)
- Naartex Consulting Corp. v. Watt, 722 F.2d 779, 789 (D.C. Cir. 1983), cert. denied, 467 U.S. 1210 (1984)
- MWAA v. Citizens for Abatement of Aircraft Noise, Inc., 501 U.S. 252, 252 (1991)
- Mvuri v. American Airlines Inc., No. 18-128, 2018 WL 10733604, at *2 (D.D.C. June 1, 2018)
- Adams v. Middlebrooks, 640 F. App'x 1, 4 (D.C. Cir. 2016)
- Cannon v. District of Columbia, 717 F.3d 200, 205 n.2 (D.C. Cir. 2013)
- Abraham v. Burwell, 110 F. Supp. 3d 25, 27 (D.D.C. 2015)
- National Wildlife Federation v. Browner, 237 F.3d 670, 674 (D.C. Cir. 2001)
- Simpkins v. District of Columbia Government, 108 F.3d 366, 370-71 (D.C. Cir. 1997)
- Copeland v. Morris, No. 91-1150, 1991 WL 277419, at *1 (D.D.C. Dec. 10, 1991)

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