

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
VIRGINIA, ALEXANDRIA DIVISION

Muna Al-Suyid, et al. v. Khalifa Hifter

al-Suyid v. Hifter · No. 1:20-cv-170 (LMB/JFA) · Decided April 9, 2026

SUMMARY

The United States District Court for the Eastern District of Virginia granted Khalifa Hifter’s renewed motion for summary judgment in an action brought under the Torture Victim Protection Act. The court held that the admissible evidence did not create a genuine dispute as to whether the remaining plaintiffs were subjected to torture, emphasizing the TVPA’s rigorous severity requirement and deficiencies in plaintiffs’ evidentiary submissions. The court therefore did not reach Hifter’s alternative arguments, including immunity, service, exhaustion, and command responsibility.

CASE DETAILS

COURT	United States District Court for the Eastern District of Virginia, Alexandria Division
WRITING FOR THE COURT	Leonie M. Brinkema
JURISDICTION	United States District Court for the Eastern District of Virginia
DECIDED	April 9, 2026
DOCKET	1:20-cv-170 (LMB/JFA)
DISPOSITION	other
PROCEDURAL POSTURE	Plaintiffs brought claims under the Torture Victim Protection Act against Khalifa Hifter. After the Fourth Circuit reversed an earlier summary judgment ruling based on lack of personal jurisdiction, Hifter renewed his motion for summary judgment. The district court granted the renewed motion after determining that the admissible record could not support a finding that any remaining plaintiff was subjected to torture.
STANDARD OF REVIEW	Summary judgment is proper when the admissible evidence shows no genuine dispute of material fact and the movant is entitled to judgment as a matter of law. The record is viewed in the light most favorable to the nonmoving party, but a mere scintilla of evidence is insufficient; a genuine dispute exists only when the evidence would permit a reasonable jury to return a verdict for the nonmoving party.

TOPICS

summary judgment

evidence

civil procedure

personal injury

foreign affairs

PRACTICE AREAS

Civil procedure

International human rights

Torture Victim Protection Act

Evidence

Summary judgment

QUESTIONS PRESENTED

1. Whether the admissible summary-judgment record created a genuine dispute of material fact as to whether any remaining plaintiff was subjected to torture under the Torture Victim Protection Act.
2. Whether plaintiffs' supplemental evidentiary submission was sufficient where it failed to identify specific facts supporting each plaintiff's claims and included unauthenticated, unsworn, or otherwise inadmissible materials.
3. Whether the alleged gunfire, injuries, detention, and captivity described in the record satisfied the TVPA's rigorous definition of torture.

HOLDINGS

1. The admissible evidence did not create a genuine dispute of material fact as to whether any remaining plaintiff was subjected to torture under the TVPA; no reasonable jury could find torture on the record presented.
2. Plaintiffs' three-page response was insufficient because it failed to cite specific portions of the voluminous exhibits or link particular evidence to each remaining plaintiff's claim.
3. The challenged photographs, purported medical records, interrogatory responses, and unverified complaint allegations could not be used to defeat summary judgment because they were unauthenticated, unrelated, unsworn, unsigned, or otherwise not evidence.

KEY QUOTATIONS

“By failing to cite any specific, relevant facts in the supplemental evidentiary materials, [plaintiffs] effectively left to the [undersigned] the unenviable task of poring over the [370] pages of attached exhibits in search of bits of evidence that could preclude summary judgment.” (3)

“It is not the Court’s job to assume the role of plaintiffs’ advocate and comb through voluminous exhibits to piece together plaintiffs’ claims.” (4)

“This definition contains a “severity requirement” that is “crucial to ensuring that the conduct proscribed by ... the TVPA is sufficiently extreme and outrageous to warrant the universal condemnation that the term ‘torture’ both connotes and invokes.”” (7)

“Based on the evidence before the Court—although it is clear that plaintiffs were subjected to the horrors of armed conflict and suffered injuries as a result of that conflict—no reasonable jury could find that plaintiffs

were subjected to torture.” (11)

FACTUAL BACKGROUND

Plaintiffs are Libyan citizens and residents who alleged that forces of Khalifa Hifter, the leader of the Libyan National Army, attacked their family home in Benghazi in October 2014, detained them, and subjected them to torture. The admissible summary-judgment evidence showed that the plaintiffs were exposed to gunfire, suffered injuries, were transported to an LNA camp, and that Abdalla was held for approximately twenty-three days under difficult conditions. The record did not contain sufficient admissible evidence corroborating Ibrahim's allegations of stripping, binding, beating, and prolonged electrocution, nor did it establish that the other plaintiffs experienced conduct sufficiently severe, cruel, and intentional to constitute torture under the TVPA.

PROCEDURAL HISTORY

Plaintiffs filed the action in February 2020. The district court previously granted summary judgment to Hifter for lack of personal jurisdiction, but the Fourth Circuit reversed because Hifter waived that defense by failing to raise it in his pre-answer motions to dismiss. After remand, Hifter filed a renewed motion for summary judgment raising multiple grounds. The district court dismissed Muna al-Suyid's claims and Ibrahim al-Krshiny's extrajudicial-killing claim without prejudice for lack of standing or evidentiary deficiencies, ordered the remaining plaintiffs to show cause regarding evidence of torture and attribution to Hifter, and then granted Hifter's renewed motion after reviewing the supplemental submission and holding a second hearing.

DISPOSITION

other

CASES CITED

- Fisher v. Great Socialist People's Libyan Arab Jamahiriya, 541 F. Supp. 2d 46, 54 (D.D.C. 2008)
- Doe v. Qi, 349 F. Supp. 2d 1258, 1279 (N.D. Cal. 2004)
- al-Suyid v. Hifter, 139 F.4th 368, 373-75 (4th Cir. 2025)
- Cray Communications, Inc. v. Novatel Computer Systems, Inc., 33 F.3d 390, 395-96 (4th Cir. 1994)
- Mbugua v. Carlin, No. 1:23-cv-4842, 2025 WL 1703620, at *2 n.2 (D.S.C. June 18, 2025)
- Wood v. Credit One Bank, 277 F. Supp. 3d 821, 831 (E.D. Va. 2017)
- Cambridge Capital Group v. Pill, 20 Fed. Appx. 121, 124-25 (4th Cir. 2001)
- Dulaney v. Packaging Corp. of America, 673 F.3d 323, 324 (4th Cir. 2012)
- Anderson v. Liberty Lobby, Inc., 477 U.S. 242, 248, 252 (1986)
- Price v. Socialist People's Libyan Arab Jamahiriya, 294 F.3d 82, 92-94 (D.C. Cir. 2002)
- Nikbin v. Islamic Republic of Iran, 517 F. Supp. 2d 416, 425 (D.D.C. 2007)
- Chowdhury v. Worldtel Bangladesh Holding, Ltd., 746 F.3d 42, 52 (2d Cir. 2014)
- Fritz v. Islamic Republic of Iran, 320 F. Supp. 3d 48, 81 (D.D.C. 2018)
- Boniface v. Viliena, 338 F. Supp. 3d 50, 69 (D. Mass. 2018)

- Jara v. Nunez, No. 6:13-cv-1426, 2014 WL 12623015, at *3 (M.D. Fla. June 30, 2014)
- Simpson v. Socialist People's Libyan Arab Jamahiriya, 326 F.3d 230, 232-34 (D.C. Cir. 2003)
- Ashcroft v. Iqbal, 556 U.S. 662, 678 (2009)

Retrieved from lawtools.ai · <https://lawtools.ai/cases/federal/united-states-district-court-for-the-eastern-district-of-vir/2026/muna-al-suyid-et-al-v-khalifa-hifter-oj3nuzy0>