

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLUMBIA

Brady Souma Ewoudou v. Joseph Edlow, Director, U.S. Citizenship and Immigration Services, et al.

Ewoudou · No. 25-888 (RBW) · Decided March 20, 2026

SUMMARY

The United States District Court for the District of Columbia grants the defendants’ Rule 12(b)(6) motion to dismiss an action seeking mandamus and Administrative Procedure Act relief for alleged delay in adjudicating the plaintiff’s asylum application. Applying the TRAC factors, the court concludes that an approximately 51-month delay was not unreasonable, emphasizing agency priority-setting and the absence of bad faith. The court encourages expeditious action on the application but dismisses the plaintiff’s claims.

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 20, 2026
DOCKET	25-888 (RBW)
DISPOSITION	dismissed
PROCEDURAL POSTURE	Plaintiff brought an action under the Mandamus Act and the Administrative Procedure Act seeking an order compelling USCIS to adjudicate his pending asylum application. Defendants moved to dismiss under Federal Rule of Civil Procedure 12(b)(6).
STANDARD OF REVIEW	On a Rule 12(b)(6) motion, the court accepts well-pleaded factual allegations as true, construes the complaint in the plaintiff's favor, and determines whether the complaint contains sufficient factual matter to state a facially plausible claim for relief.
PRECEDENTIAL VALUE	Published district court memorandum opinion; persuasive rather than binding outside the case.
PARTIES	Brady Souma Ewoudou v. Joseph Edlow, Director, U.S. Citizenship and Immigration Services, Connie Nolan, Associate Director, U.S.

TOPICS

asylum mandamus immigration administrative procedure act motions to dismiss agency adjudication

PRACTICE AREAS

Immigration Administrative Law Federal Civil Procedure Mandamus Judicial Review of Agency Action

QUESTIONS PRESENTED

1. Whether the complaint plausibly alleged that USCIS unreasonably delayed adjudication of Ewoudou's asylum application under the Administrative Procedure Act and the Mandamus Act.
2. Whether application of the TRAC factors at the Rule 12(b)(6) stage required dismissal of the unreasonable-delay claims.

HOLDINGS

1. The plaintiff failed to state a plausible claim that USCIS unreasonably delayed adjudication of his asylum application. Applying the TRAC factors, the approximately fifty-one-month delay was not unreasonable under the circumstances alleged.
2. The plaintiff's claims under the APA and the Mandamus Act were subject to the same standard for obtaining relief based on unreasonable agency delay.
3. The TRAC factors may be applied at the Rule 12(b)(6) stage when the facts alleged do not support a plausible claim of unreasonable delay.

KEY QUOTATIONS

"The central question in evaluating 'a claim of unreasonable delay' is 'whether the agency's delay is so egregious as to warrant mandamus.'" (at 5)

"Compelling agency action on [his] [asylum] application would 'impose offsetting burdens on equally worthy' applicants by effectively putting [him] 'at the head of the queue,' thereby 'mov[ing] all others back one space and produc[ing] no net gain[.]'" (at 7-8)

"Upon consideration of the TRAC factors, the Court concludes that the plaintiff has not plausibly alleged that the delay in adjudicating his asylum application is unreasonable." (at 10)

FACTUAL BACKGROUND

Ewoudou, a citizen of Cameroon, entered the United States on August 15, 2021, on an F-1 nonimmigrant visa. He filed a Form I-589 application for asylum and withholding of removal with USCIS on December 18, 2021, and alleged that the application remained pending at the USCIS Potomac Service Center. He asserted that the delay impaired professional opportunities, international travel, and his ability to sponsor family members, and caused stress, expense, and hardship.

PROCEDURAL HISTORY

Ewoudou filed his complaint on March 26, 2025, alleging unreasonable delay in the adjudication of his Form I-589 asylum application. Defendants moved to dismiss, and the parties submitted opposition, reply, and sur-reply filings. The court granted the motion to dismiss, concluding that the complaint did not plausibly allege an unreasonable agency delay under the TRAC factors.

DISPOSITION

dismissed

CASES CITED

- Ashcroft v. Iqbal, 556 U.S. 662, 678-79 (2009)
- Bell Atl. Corp. v. Twombly, 550 U.S. 544, 555-56, 570 (2007)
- Hettinga v. United States, 677 F.3d 471, 476 (D.C. Cir. 2012)
- Schuler v. United States, 617 F.2d 605, 608 (D.C. Cir. 1979)
- Equal Emp. Opportunity Comm'n v. St. Francis Xavier Parochial Sch., 117 F.3d 621, 624 (D.C. Cir. 1997)
- Telecomm. Rsch. & Action Ctr. v. Fed. Commc'n Comm'n, 750 F.2d 70, 79-80 (D.C. Cir. 1984)
- Hajizadeh v. Blinken, No. 23-cv-1766 (LLA), 2024 WL 3638336, at *4-6 (D.D.C. Aug. 2, 2024)
- In re Core Commc'ns, Inc., 531 F.3d 849, 855 (D.C. Cir. 2008)
- Motevali v. Blinken, No. 23-cv-2133 (RC), 2024 WL 3580937, at *6-8 (D.D.C. July 30, 2024)
- Fakhimi v. Dep't of State, No. 23-cv-1127 (CKK), 2023 WL 6976073, at *7 (D.D.C. Oct. 23, 2023)
- Milligan v. Pompeo, 502 F. Supp. 3d 302, 317-19 (D.D.C. 2020)
- Ahmadi v. Scharpf, No. 23-cv-953 (DLF), 2024 WL 551542, at *5 (D.D.C. Feb. 12, 2024)
- Rahman v. Blinken, No. 22-cv-2732 (JEB), 2023 WL 196428, at *4 (D.D.C. Jan. 17, 2023)
- Brzezinski v. U.S. Dep't of Homeland Sec., No. 21-cv-376 (RC), 2021 WL 4191958, at *4 n.3 (D.D.C. Sept. 15, 2021)
- In re Barr Lab'ys, Inc., 930 F.2d 72, 73, 75-76 (D.C. Cir. 1991)
- Desai v. U.S. Citizenship & Immigr. Servs., No. 20-cv-1005 (CKK), 2021 WL 1110737, at *7 (D.D.C. Mar. 22, 2021)
- Liberty Fund, Inc. v. Chao, 394 F. Supp. 2d 105, 118 (D.D.C. 2005)
- Xu v. Cassna, 434 F. Supp. 3d 43, 54 (S.D.N.Y. 2020)
- Sawahreh v. U.S. Dep't of State, 630 F. Supp. 3d 155, 164 (D.D.C. 2022)