

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLUMBIA

Ghayoori v. Sultanate of Oman

Ghayoori · No. Civil Action No. 24-3639 (JMC) · Decided January 23, 2026

SUMMARY

The United States District Court for the District of Columbia denied Ramin Ghayoori’s motion for reconsideration of the dismissal of his claims against the Sultanate of Oman for lack of jurisdiction. The court also denied leave to amend, concluding that the proposed amended complaint would remain barred by the Foreign Sovereign Immunities Act because no applicable exception, including the noncommercial-tort or implied-waiver exceptions, was adequately alleged. The court further held that an evidentiary hearing was not required under 28 U.S.C. § 1608(e).

CASE DETAILS

COURT	United States District Court for the District of Columbia
WRITING FOR THE COURT	Jia M. Cobb
JURISDICTION	United States District Court for the District of Columbia
DECIDED	January 23, 2026
DOCKET	Civil Action No. 24-3639 (JMC)
DISPOSITION	other
PROCEDURAL POSTURE	Plaintiff moved for reconsideration of the Court's prior order dismissing the case for lack of jurisdiction and alternatively sought leave to file an amended complaint. The Court denied both motions.
STANDARD OF REVIEW	A motion for leave to amend may be denied as futile when the proposed claim would not survive a motion to dismiss. Reconsideration was denied because the asserted errors did not establish a basis to revisit the prior jurisdictional dismissal.
PRECEDENTIAL VALUE	Published
PARTIES	Ramin Ghayoori v. Sultanate of Oman

TOPICS

- foreign sovereign immunity
- motion for reconsideration
- motion to amend
- subject matter jurisdiction
- civil procedure

PRACTICE AREAS

civil procedure

foreign sovereign immunity

federal jurisdiction

QUESTIONS PRESENTED

1. Whether the Court should reconsider its prior dismissal for lack of jurisdiction based on alleged failures to consider the Vienna Convention, Convention Against Torture, FSIA waiver, the location of the tortious act, or the need for an evidentiary hearing.
2. Whether leave to amend should be granted when the proposed amended complaint would remain outside the FSIA exceptions and therefore would be dismissed for lack of subject-matter jurisdiction.
3. Whether invocation of federal-question jurisdiction independently permits jurisdiction over claims against Oman absent an applicable FSIA exception.

HOLDINGS

1. The FSIA is the sole basis for obtaining jurisdiction over a foreign state in federal court, so the jurisdictional analysis properly focused on whether a statutory FSIA exception applied.
2. The FSIA's noncommercial-tort exception does not apply unless the entire tort, including both the injury and the act precipitating the injury, occurred in the United States.
3. The Court was not required to hold an evidentiary hearing under 28 U.S.C. § 1608(e); that provision applies when a court enters a judgment by default and requires satisfactory evidence, but does not mandate a pre-decision evidentiary hearing.
4. Leave to amend was properly denied as futile because the proposed amended complaint would still be dismissed for lack of jurisdiction.
5. The proposed amended complaint did not establish implied waiver under 28 U.S.C. § 1605(a)(1) because it did not allege any of the recognized circumstances for implied waiver.

KEY QUOTATIONS

“The Court’s analysis therefore properly started and ended with whether one of the Act’s “exception[s] applie[d].”” (Order)

“Because Ghayoori’s amended complaint would still be dismissed for lack of jurisdiction, his proposed amendment is futile and the Court denies his motion for leave to amend.” (Order)

FACTUAL BACKGROUND

Ghayoori sued the Sultanate of Oman and asserted jurisdiction under exceptions to the Foreign Sovereign Immunities Act. He alleged injuries suffered in California, but the acts precipitating those injuries occurred abroad. In seeking amendment, he attempted to add allegations supporting implied waiver under 28 U.S.C. § 1605(a)(1), but the proposed allegations did not involve any of the three circumstances recognized by the D.C. Circuit for implied waiver.

PROCEDURAL HISTORY

Ghayoori filed suit against the Sultanate of Oman. The Court previously dismissed the action for lack of jurisdiction and denied Ghayoori's motion for default judgment. Ghayoori then moved for reconsideration and, alternatively, for leave to amend; the Court denied both requests because the proposed amendment would remain jurisdictionally futile.

DISPOSITION

other

CASES CITED

- Doe v. Fed. Democratic Republic of Ethiopia, 851 F.3d 7, 9–10 (D.C. Cir. 2017)
- Monsalvo v. Bondi, 604 U.S. 712, 743 (2025) (Thomas, J., dissenting)
- TransUnion LLC v. Ramirez, 594 U.S. 413, 434 n.6 (2021)
- Mwani v. bin Laden, 417 F.3d 1, 7 (D.C. Cir. 2005)
- Hettinga v. United States, 677 F.3d 471, 480 (D.C. Cir. 2012)
- Jam v. Int’l Fin. Corp., 481 F. Supp. 3d 1, 5–6 (D.D.C. 2020)
- TIG Ins. v. Republic of Argentina, 110 F.4th 221, 236 (D.C. Cir. 2024)

OPINION

Ghayoori v. Sultanate of Oman

PER CURIAM.

UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF COLUMBIA

RAMIN GHAYOORI,

Plaintiff, Case No. 24-cv-3639 (JMC) v.

SULTANATE OF OMAN,

Defendant.

ORDER

Ramin Ghayoori filed a motion for reconsideration, ECF 12, asking the Court to revisit its prior order dismissing this case for lack of jurisdiction, ECF 11, and, alternatively, a motion for leave to file an amended complaint, ECF 13. Both motions are DENIED. As for reconsideration, Ghayoori identifies three putative errors in the Court’s prior ruling. First, Ghayoori faults the Court for failing to consider whether it has jurisdiction under the Vienna Convention, Convention Against Torture, or waiver provision of the Foreign Sovereign Immunities Act. See ECF 12 at 2. But as the Court previously explained, the Foreign Sovereign Immunities Act “is the sole basis for obtaining jurisdiction over a foreign state in our courts.” Doe v. Fed. Democratic Republic of Ethiopia, 851 F.3d 7, 9 (D.C. Cir. 2017). The Court’s analysis therefore properly started and ended with whether one of the Act’s “exception[s] applie[d].” Id. As for the Court’s supposed failure to engage with the Act’s waiver provision, Ghayoori never invoked that provision as a basis for jurisdiction. See

ECF 1 ¶¶ 1–6 (claiming jurisdiction under other exceptions but not 28 U.S.C. § 1605(a)(1)); ECF 7 at 1–2 (same). “Arguments for jurisdiction are not exempt from principles of party presentation and forfeiture,” so the Court was under no obligation to address a possible basis for jurisdiction that Ghayoori did not raise. 1 *Monsalvo v. Bondi*, 604 U.S. 712, 743 (2025) (Thomas, J., dissenting); see also *TransUnion LLC v. Ramirez*, 594 U.S. 413, 434 n.6 (2021). In any event, as the Court explains below in addressing the motion for leave to amend, the waiver provision does not apply here. Neither of Ghayoori’s second or third arguments for reconsideration justify granting that relief, either. Contrary to Ghayoori’s claim that the “tortious act” need not “occur here,” ECF 12 at 2, the D.C. Circuit has squarely held that the “noncommercial-tort exception” only applies if the “entire tort—including not only the injury but also the act precipitating that injury—[] occur[red] in the United States.” *Doe*, 851 F.3d at 10. Nor was the Court required to hold an evidentiary hearing. *Contra* ECF 12 at 3. The statutory provision Ghayoori cites only applies if the Court enters a “judgment by default,” 28 U.S.C. § 1608(e), which is precisely what the Court refused to do in denying Ghayoori’s motion for default judgment. Regardless, that statute merely requires the Court to assure itself that the “claimant” has presented “evidence satisfactory to the court.” *Id.* It does not require a court to hold an evidentiary hearing prior to making that determination. See *Mwani v. bin Laden*, 417 F.3d 1, 7 (D.C. Cir. 2005). As for Ghayoori’s motion for leave to amend, the Court denies that request “as futile” because “the proposed claim would not survive a motion to dismiss.” *Hettinga v. United States*, 677 F.3d 471, 480 (D.C. Cir. 2012). Ghayoori’s “proposed amended complaint, like the original complaint,” still does not bring his claims within the Foreign Sovereign Immunity Act’s exceptions. *Jam v. Int’l Fin. Corp.*, 481 F. Supp. 3d 1, 5–6 (D.D.C. 2020) (denying leave to amend where Court would lack jurisdiction over amended complaint under FSIA). Like the original complaint, the claims in the amended complaint fall outside of the “noncommercial-tort exception” because the “act[s] precipitating” Ghayoori’s injuries—even if those injuries were suffered in California—occurred abroad. *Doe*, 851 F.3d at 10; see ECF 13- 2 ¶¶ 27–29. Ghayoori’s attempt to add allegations that satisfy the implied waiver provision in 28 U.S.C. § 1605(a)(1) is equally unavailing. See ECF 13-1 ¶ 14. The D.C. Circuit “has identified only three circumstances in which a sovereign will be treated as having impliedly waived its immunity.” *TIG Ins. v. Republic of Argentina*, 110 F.4th 221, 236 (D.C. Cir. 2024). Ghayoori does not allege that Oman “execut[ed] a contract containing a choice-of-law clause designating the laws of the United States as applicable,” “fil[ed] a responsive pleading without asserting sovereign immunity,” or “agree[d] to submit a dispute to arbitration in the United States.” *Id.*; see ECF 13-1 ¶ 14 (listing conduct that Ghayoori claims constitutes waiver). Courts “have been reluctant to recognize an implicit waiver of sovereign immunity in [any] other circumstances” than those three, *TIG Ins.*, 110 F.4th at 236, and this Court will not do so here based on the allegations in the amended complaint. Finally, Ghayoori’s invocation of federal question jurisdiction, see ECF 13 at 7; ECF 13-1 ¶ 16, cannot overcome the reality that, absent an applicable exception under the Foreign Sovereign Immunities Act, this Court cannot

take jurisdiction over Ghayoori's claims, see Doe, 851 F.3d at 9. Because Ghayoori's amended complaint would still be dismissed for lack of jurisdiction, his proposed amendment is futile and the Court denies his motion for leave to amend. SO ORDERED. _____

JIA M. COBB

United States District Judge Date: January 23, 2026 3