

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF MARYLAND

Omid Arefi v. Marco Rubio

Civil No. 1:24-cv-02031-JRR (D. Md. Mar. 13, 2026) · No. 1:24-cv-02031-JRR · Decided March 13, 2026

SUMMARY

The United States District Court for the District of Maryland considers Defendants’ motion to dismiss Omid Arefi’s claims concerning the delayed adjudication of four Form I-730 Refugee/Asylee Relative Petitions. The court grants the motion in part as to standing and plausibility challenges involving the FBI and State Department, but declines to dismiss the unreasonable-delay claims against the responsible agency defendants at the pleading stage.

CASE DETAILS

COURT	United States District Court for the District of Maryland
WRITING FOR THE COURT	Julie R. Rubin
JURISDICTION	United States District Court for the District of Maryland
DECIDED	March 13, 2026
DOCKET	1:24-cv-02031-JRR
DISPOSITION	other
PROCEDURAL POSTURE	Plaintiff brought claims under the Administrative Procedure Act and the Mandamus Act seeking to compel adjudication of four Form I-730 petitions. Defendants moved to dismiss under Federal Rules of Civil Procedure 12(b)(1) and 12(b)(6).
STANDARD OF REVIEW	On a facial Rule 12(b)(1) challenge, the court accepts the complaint's factual allegations as true and determines whether they adequately invoke subject-matter jurisdiction. Under Rule 12(b)(6), the court tests the legal sufficiency and plausibility of the complaint, accepting well-pleaded factual allegations as true but not legal conclusions. Claims of unreasonable agency delay are assessed under the six TRAC factors, while remaining subject to the Twombly and Iqbal pleading standards.
PRECEDENTIAL VALUE	Unknown; memorandum opinion from the United States District Court for the District of Maryland with no reporter citation.
PARTIES	Omid Arefi v. Marco Rubio, Mora Namdar, Natalie A. Baker, Secretary of Homeland Security, Joseph B. Edlow, Kash Patel

TOPICS

immigration administrative procedure act mandamus immigration motions to dismiss
subject matter jurisdiction

PRACTICE AREAS

immigration law administrative law federal civil procedure remedies

QUESTIONS PRESENTED

1. Whether Arefi adequately pleaded Article III standing to sue the FBI and State Department for the delay in adjudicating his I-730 petitions.
2. Whether Arefi adequately pleaded plausible claims under the Administrative Procedure Act and Mandamus Act that USCIS unreasonably delayed adjudication of his I-730 petitions.
3. Whether the court could consider the defendants' Requests for Evidence and supporting declaration in deciding the Rule 12(b)(6) motion.

HOLDINGS

1. Arefi failed to plead a sufficient causal connection between his injury from the delayed adjudication of the I-730 petitions and conduct by the FBI or State Department; therefore, he lacked standing to pursue those claims against those defendants.
2. Arefi plausibly pleaded that defendants unreasonably delayed adjudication of his I-730 petitions, so the motion to dismiss those claims was denied.
3. The court could consider the I-730 petitions because they were integral to and relied upon in the complaint, but declined to consider the Requests for Evidence and USCIS declaration because defendants did not establish that those materials were integral to the complaint or otherwise properly considered.

KEY QUOTATIONS

“A claim that an agency action is unreasonably delayed “can proceed only where a plaintiff asserts that an agency failed to take a discrete agency action that it is required to take.”” (III.B)

“Based on the foregoing, the court is satisfied Plaintiff adequately pleads that Defendants have unreasonably delayed in adjudication of his I-730 petitions.” (III.B)

FACTUAL BACKGROUND

Omid Arefi is a refugee and lawful permanent resident in the United States whose spouse and three children reside in Afghanistan. On February 14, 2023, he filed four Form I-730 Refugee/Asylee Relative Petitions, which remained unadjudicated for approximately 37 months when the opinion issued. Arefi alleged that USCIS's delay caused prolonged separation from his family and significant emotional and safety-related harms, and attributed the delay in part to an FBI name-check process.

PROCEDURAL HISTORY

Arefi filed the action on July 12, 2024, alleging unreasonable delay in adjudicating I-730 petitions for his spouse and three children. Defendants challenged standing as to the FBI and State Department and argued that the delay claims were not plausible. The court granted the motion in part and denied it in part, dismissing the claims against the FBI and State Department for lack of standing while allowing the unreasonable-delay claims to proceed.

DISPOSITION

other

CASES CITED

- Wikimedia Found. v. Nat'l Sec. Agency, 857 F.3d 193, 208 (4th Cir. 2017)
- N.A. v. Jaddou, 2024 WL 1898470, at *4-*5 (S.D. Cal. Apr. 30, 2024)
- Mohamed v. Jaddou, 2024 WL 477098, at *3 (D. Minn. Feb. 7, 2024)
- Shougar v. Jaddou, 2024 WL 3069273, at *5 (D. Colo. June 20, 2024)
- Barnett v. United States, 193 F. Supp. 3d 515, 518 (D. Md. 2016)
- Mayor & City Council of Balt. v. Trump, 416 F. Supp. 3d 452, 479 (D. Md. 2019)
- Kerns v. United States, 585 F.3d 187, 192 (4th Cir. 2009)
- Ministry of Defence of State of Kuwait v. Naffa, 105 F.4th 154, 159 (4th Cir. 2024)
- Cunningham v. Gen. Dynamics Info. Tech., Inc., 888 F.3d 640, 650 (4th Cir. 2018)
- Velasco v. Gov't of Indon., 370 F.3d 392, 398 (4th Cir. 2004)
- United States ex rel. Fadlalla v. DynCorp Int'l LLC, 402 F. Supp. 3d 162, 176 (D. Md. 2019)
- Lovern v. Edwards, 190 F.3d 648, 654 (4th Cir. 1999)
- Khoury v. Meserve, 268 F. Supp. 2d 600, 606 (D. Md. 2003)
- In re Birmingham, 846 F.3d 88, 92 (4th Cir. 2017)
- Papasan v. Allain, 478 U.S. 265, 283 (1986)
- Ashcroft v. Iqbal, 556 U.S. 662, 678 (2009)
- Bell Atl. Corp. v. Twombly, 550 U.S. 544, 555, 570 (2007)
- A Soc'y Without a Name v. Virginia, 655 F.3d 342, 346 (4th Cir. 2011)
- Vitol, S.A. v. Primerose Shipping Co., 708 F.3d 527, 543 (4th Cir. 2013)
- Francis v. Giacomelli, 588 F.3d 186, 193 (4th Cir. 2009)
- Fairfax v. CBS Corp., 2 F.4th 286, 292 (4th Cir. 2021)
- Chesapeake Bay Found., Inc. v. Severstal Sparrows Point, LLC, 794 F. Supp. 2d 602, 611 (D. Md. 2011)
- Walker v. S.W.I.F.T. SCRL, 517 F. Supp. 2d 801, 806 (E.D. Va. 2007)
- Goines v. Valley Cmty. Servs. Bd., 822 F.3d 159, 165-66 (4th Cir. 2016)
- Tellabs, Inc. v. Makor Issues & Rights, Ltd., 551 U.S. 308, 322 (2007)
- Goldfarb v. Mayor & City Council of Baltimore, 791 F.3d 500, 508 (4th Cir. 2015)

- Philips v. Pitt County Mem'l Hosp., 572 F.3d 176, 180 (4th Cir. 2009)
- Carney v. Adams, 592 U.S. 53, 58 (2020)
- Dep't of Educ. v. Brown, 600 U.S. 551, 561 (2023)
- Sheppheard v. Morrissey, 143 F.4th 232, 243 (4th Cir. 2025)
- Friends for Ferrell Parkway, LLC v. Stasko, 282 F.3d 315, 320 (4th Cir. 2002)
- Lowy v. Daniel Def., LLC, 167 F.4th 175, 195 (4th Cir. 2026)
- Lovo v. Miller, 107 F.4th 199, 210, 216 (4th Cir. 2024)
- Gonzalez v. Cuccinelli, 985 F.3d 357, 365-66, 375 (4th Cir. 2021)
- Norton v. S. Utah Wilderness All., 542 U.S. 55, 64 (2004)
- Ishaq v. Schofer, 2024 WL 3729107, at *3 (D. Md. Aug. 8, 2024)
- Asare v. Ferro, 999 F. Supp. 657, 659 (D. Md. 1998)
- Jahangiri v. Blinken, 2024 WL 1656269, at *11-*14 (D. Md. Apr. 17, 2024)
- Bagherian v. Pompeo, 442 F. Supp. 3d 87, 96 (D.D.C. 2020)
- Logan v. Blinken, 2022 WL 3715798, at *4 (D.D.C. Aug. 29, 2022)
- Kangarloo v. Pompeo, 480 F. Supp. 3d 134, 142 (D.D.C. 2020)
- Telecommunications Research & Action Center v. F.C.C., 750 F.2d 70, 80 (D.C. Cir. 1984)
- Ahmed v. U.S. Dep't of Homeland Sec., 2022 WL 424967, at *5 (D.D.C. Feb. 11, 2022)
- Palakuru v. Renaud, 521 F. Supp. 3d 46, 50 (D.D.C. 2021)
- Erickson v. Pardus, 551 U.S. 89, 94 (2007)
- Wall v. Rasnick, 42 F.4th 214, 218 (4th Cir. 2022)
- Desgraviers v. PF-Frederick, LLC, 501 F. Supp. 3d 348, 351 (D. Md. 2020)
- Bey v. Shapiro Brown & Alt, LLP, 997 F. Supp. 2d 310, 314 (D. Md. 2014), aff'd, 584 F. App'x 135 (4th Cir. 2014)
- Beaudett v. City of Hampton, 775 F.2d 1274, 1278 (4th Cir. 1985)
- Dennis v. Blinken, 2023 WL 4764576, at *8 (D. Md. July 26, 2023)
- Mokuolu v. Mayorkas, 2024 WL 4783542, at *2, *6-*7 (D. Md. Oct. 1, 2024)
- Begum v. U.S. Dep't of State, 2022 WL 16575703, at *1, *8 (D. Md. Oct. 31, 2022)
- Hasnat v. Rubio, 2025 WL 675221, at *4 (D. Md. Mar. 3, 2025)
- Aghamohammadi v. Rubio, 2025 WL 2687343, at *11 (D. Md. Sept. 19, 2025)