

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLUMBIA

Jennings v. Edlow

Jennings · No. Case No. 25-cv-1629 (JMC) · Decided March 16, 2026

SUMMARY

The District Court for the District of Columbia granted the defendants’ motion to transfer as conceded because the plaintiff failed to oppose the motion or request an extension. The court transferred the action seeking adjudication of a pending I-130 petition to the District of Maryland, where the plaintiff resides, and denied the motion to dismiss without prejudice as moot.

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	March 16, 2026
DOCKET	Case No. 25-cv-1629 (JMC)
DISPOSITION	transferred
PROCEDURAL POSTURE	Plaintiff brought an action seeking to compel adjudication of a pending Form I-130 petition. Defendants moved to transfer the case or dismiss the complaint under Federal Rules of Civil Procedure 12(b)(3) and 12(b)(6). After Plaintiff failed to oppose the motion, the court treated it as conceded and transferred the case to the District of Maryland.
STANDARD OF REVIEW	Under Local Civil Rule 7(b), the court may treat an unopposed motion as conceded.
PRECEDENTIAL VALUE	Published district court memorandum opinion
PARTIES	Eric Jennings v. Joseph B. Edlow, Director, U.S. Citizenship & Immigration Services, et al.

TOPICS

- venue
- motions to dismiss
- civil procedure
- immigration
- administrative law

PRACTICE AREAS

QUESTIONS PRESENTED

1. Whether Defendants' motion to transfer or dismiss should be treated as conceded because Jennings failed to oppose it.
2. Whether the case should be transferred to the District of Maryland rather than dismissed.

HOLDINGS

1. When a party fails to file an opposition to a motion within the applicable deadline, the court may treat the motion as conceded under Local Civil Rule 7(b).
2. When transfer is the defendants' primary request and transfer is in the interest of justice, the court may transfer the case rather than dismiss it.

KEY QUOTATIONS

“Local Civil Rule 7(b) requires an opposing party to file a memorandum of points and authorities in opposition to a motion within 14 days of the service of the motion, or “the Court may treat the motion as conceded.”” (at 2)

FACTUAL BACKGROUND

Jennings had a pending Form I-130 Petition for Alien Relative that USCIS had not adjudicated. He filed this action to compel adjudication and identified Maryland as the district where he resides. After Defendants moved to transfer or dismiss, Jennings did not respond despite receiving a court-ordered deadline.

PROCEDURAL HISTORY

Jennings filed suit in the District of Columbia to compel USCIS to adjudicate his pending I-130 petition. Defendants moved to transfer or dismiss. The court ordered Jennings to respond by December 22, 2025, but he filed neither an opposition nor a request for an extension. The court granted the motion to transfer as conceded, transferred the case to the United States District Court for the District of Maryland, and denied the dismissal request without prejudice as moot.

DISPOSITION

transferred

CASES CITED

- Darby v. U.S. Department of Energy, 231 F. Supp. 2d 274, 277 (D.D.C. 2002)
- Steady v. U.S. Patent & Trademarks Off., No. 05-cv-1356, 2006 WL 2078424, at *1 (D.D.C. July 24, 2006)

OPINION

Jennings v. Scott

PER CURIAM.

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

ERIC JENNINGS,

Plaintiff, Case No. 25-cv-1629 (JMC) v. JOSEPH B. EDLOW, Director U.S. Citizenship & Immigration Services, 1 et al., Defendants.

MEMORANDUM OPINION

Eric Jennings brought this action to compel the United States Citizenship and Immigration Services to adjudicate a pending I-130 “Petition for Alien Relative” application. ECF 1 ¶ 1. 2 In November 2025, the Government filed a motion to either transfer the case to a different venue or dismiss the complaint pursuant to Federal Rules of Civil Procedure 12(b)(3) and 12(b)(6). ECF 7. On December 1, 2025, the Court ordered Jennings to respond to that motion by December 22, 2025, or “risk transfer or dismissal of the case.” ECF 8. To date—nearly three months later—Jennings has neither filed an opposition to Defendants’ motion nor requested an extension of time to do so. Because Jennings failed to respond to Defendants’ motion to transfer or dismiss, the Court GRANTS Defendants’ motion as conceded and TRANSFERS the case to the District where Jennings resides—the District of Maryland. 1 Director Edlow has been substituted for his predecessor in office. See Fed. R. Civ. P. 25(d). 2 Unless otherwise indicated, the formatting of citations has been modified throughout this opinion, for example, by omitting internal quotation marks, emphases, citations, and alterations and by altering capitalization. All pincites to documents filed on the docket in this case are to the automatically generated ECF Page ID number that appears at the top of each page. 1 Local Civil Rule 7(b) requires an opposing party to file a memorandum of points and authorities in opposition to a motion within 14 days of the service of the motion, or “the Court may treat the motion as conceded.” LCvR 7(b). Defendants moved to transfer or dismiss Jennings’ complaint on November 25, 2025. The Court afforded Jennings until December 22, 2025, to respond to the motion. That deadline has come and gone with no word from Jennings. Accordingly, the Court grants Defendants’ motion to transfer as conceded. Because the Defendants’ frontline request was transfer rather than dismissal, and because the Court finds that transfer is in the interests of justice, it will transfer the case rather than dismiss. See ECF 7-1 (Defendants’ proposed order); *Darby v. U.S. Dep’t of Energy*, 231 F. Supp. 2d 274, 277 (D.D.C. 2002) (describing transfer, rather than dismissal, as “[g]enerally” in the “interest of justice” and therefore the appropriate path); see also *Steady v. U.S. Patent & Trademarks Off.*, No. 05-cv-1356, 2006 WL 2078424, at *1 (D.D.C. July 24, 2006) (deeming motion to transfer or dismiss conceded where plaintiff failed to respond). In taking that path, the Court notes again that it is transferring the case to the District where Jennings resides. See ECF 1 ¶ 8. Accordingly, the Court will GRANT Defendants’ motion to transfer, ECF 7, and transfer the case to the United States District Court for the District of Maryland. Defendants’ motion to dismiss is DENIED WITHOUT

PREJUDICE as moot. A separate order accompanies this memorandum opinion. SO ORDERED.

JIA M. COBB

United States District Judge Date: March 16, 2026 2

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