

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF OREGON

Yong Chen v. Jennifer B. Higgins, Acting Director of U.S. Citizenship and Immigration Services; Margaret Rosenast, Portland Field Office Director; Kristi Noem, Secretary of Homeland Security; and United States Citizenship and Immigration Services

Chen · No. 6:25-cv-00156-MTK · Decided December 17, 2025

SUMMARY

The United States District Court for the District of Oregon granted Defendants’ motion to dismiss Yong Chen’s claims concerning the denial of his application for adjustment of status. The court held that 8 U.S.C. § 1252(a)(2)(B)(i) stripped the district court of jurisdiction over Chen’s APA challenge to USCIS’s individualized adjustment-of-status decision. It further held that Chen’s constitutional claims had to be raised in a petition for review in the appropriate court of appeals.

CASE DETAILS

COURT	United States District Court for the District of Oregon
WRITING FOR THE COURT	Mustafa T. Kasubhai
JURISDICTION	United States District Court for the District of Oregon
DECIDED	December 17, 2025
DOCKET	6:25-cv-00156-MTK
DISPOSITION	dismissed
PROCEDURAL POSTURE	Plaintiff brought APA and constitutional claims seeking review of USCIS’s denial of his application to adjust status. Defendants moved to dismiss for lack of subject matter jurisdiction and failure to state a claim.
STANDARD OF REVIEW	The court applied the federal subject-matter-jurisdiction standard, presuming that the action lies outside the court’s limited jurisdiction and placing the burden of establishing jurisdiction on the party asserting it. The court was required to dismiss an action over which it lacked subject matter jurisdiction under Federal Rule of Civil Procedure 12(h)(3).
PRECEDENTIAL VALUE	district court opinion; no reporter citation or precedential designation identified

TOPICS

adjustment of status subject matter jurisdiction judicial review of agency action motions to dismiss
immigration

PRACTICE AREAS

immigration administrative law civil procedure constitutional law

QUESTIONS PRESENTED

1. Whether 8 U.S.C. § 1252(a)(2)(B)(i) deprived the district court of subject matter jurisdiction over Chen's APA challenge to USCIS's individualized denial of his application for adjustment of status.
2. Whether the statutory exception in 8 U.S.C. § 1252(a)(2)(D) permitted the district court to review Chen's claim as a constitutional claim or question of law, including a mixed question of law and fact.
3. Whether the district court had jurisdiction over Chen's constitutional claims when those claims were not presented in a petition for review of a final order of removal to an appropriate court of appeals.

HOLDINGS

1. Section 1252(a)(2)(B)(i) strips the district court of subject matter jurisdiction over an APA claim challenging USCIS's individualized denial of an application for adjustment of status.
2. Even if Chen's APA claim presented a mixed question of law and fact, jurisdiction would lie in the appropriate court of appeals rather than in the district court.
3. The district court lacked jurisdiction over Chen's constitutional claims because § 1252(a)(2)(D) permits review of those claims only through a petition for review of a final order of removal filed in an appropriate court of appeals.

KEY QUOTATIONS

“Federal courts are courts of limited jurisdiction.” (Standards)

“§ 1252(a)(2)(B)(i) strips district courts of jurisdiction to hear a plaintiff's APA claim when that claim challenges an agency's individualized denial of an application for adjustment of status.” (Discussion, Part I)

“Such a petition for review arises from removal proceedings before an [Immigration Judge] with review by the Board of Immigration Appeals (BIA), and it is eventually brought in a circuit court of appeals” (Discussion, Part II)

FACTUAL BACKGROUND

Yong Chen, a Chinese citizen who entered the United States in 1994 seeking asylum, remained in the country after his asylum application was denied. On October 21, 2021, he filed an I-485 application to adjust status. USCIS denied the application on February 4, 2025, concluding that Chen was inadmissible under 8 U.S.C. § 1182(a)(6)(C)(i) because he had misrepresented material facts in seeking admission. Chen challenged USCIS's application of the inadmissibility standard and asserted APA and constitutional claims.

PROCEDURAL HISTORY

Chen initially filed suit on January 29, 2025, seeking an order compelling USCIS to adjudicate his I-485 application. USCIS denied the application on February 4, 2025, based on inadmissibility for fraud or willful misrepresentation under 8 U.S.C. § 1182(a)(6)(C)(i). Chen then filed a corrected amended complaint challenging USCIS's application of the inadmissibility standard under the APA and the Constitution. The district court granted Defendants' motion to dismiss and dismissed the claims for lack of subject matter jurisdiction.

DISPOSITION

dismissed

CASES CITED

- Kokkonen v. Guardian Life Insurance Co. of America, 511 U.S. 375, 377 (1994)
- Pistor v. Garcia, 791 F.3d 1104, 1111 (9th Cir. 2015)
- Patel v. Garland, 596 U.S. 328, 338-39, 345 (2022)
- Wilkinson v. Garland, 601 U.S. 209, 212 (2024)
- Guerrero-Lasprilla v. Barr, 589 U.S. 221, 225 (2020)
- Nakka v. United States Citizenship and Immigration Services, 111 F.4th 995, 1015 (9th Cir. 2024)
- Sanchez v. Mayorkas, 593 U.S. 409, 411 (2021)
- Garcia v. U.S. Citizenship & Immigration Services, 146 F.4th 743, 748-49 (9th Cir. 2025)