

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLUMBIA

Boothe v. Islamic Republic of Iran

No. 22-cv-1747 (D.D.C. Mar. 24, 2026) · No. Civil Action No. 2022-1747 · Decided March 24, 2026

SUMMARY

The United States District Court for the District of Columbia considers plaintiffs’ motion for default judgment against Iran under the Foreign Sovereign Immunities Act’s terrorism exception. The court finds subject-matter jurisdiction over claims arising from three fatal terrorist attacks in Afghanistan, but lacks jurisdiction over claims arising from three attacks for which the record does not establish non-terrorist fatalities. The opinion also addresses judicial notice, expert evidence, Iran’s material support for Taliban-affiliated groups, and the plaintiffs’ injuries.

CASE DETAILS

COURT	United States District Court for the District of Columbia
WRITING FOR THE COURT	Tanya S. Chutkan
JURISDICTION	United States District Court for the District of Columbia
DECIDED	March 24, 2026
DOCKET	Civil Action No. 2022-1747
DISPOSITION	affirmed_in_part_reversed_in_part
PROCEDURAL POSTURE	Default judgment motion in FSIA terrorism exception case
PRECEDENTIAL VALUE	published

TOPICS

- foreign sovereign immunity
- subject matter jurisdiction
- personal jurisdiction
- default judgment
- damages

PRACTICE AREAS

- international law
- torts
- civil procedure

QUESTIONS PRESENTED

- Whether the court has subject matter jurisdiction over claims of service members injured in non-fatal terrorist attacks under the FSIA terrorism exception
- Whether Iran's provision of material support to the Taliban proximately caused the attacks on plaintiffs
- Whether Iran is liable for battery and intentional infliction of emotional distress under tort law theories

4. Whether default judgment should be granted and what damages are appropriate

HOLDINGS

1. The FSIA terrorism exception requires an actual extrajudicial killing—i.e., the death of someone other than the perpetrators—for jurisdiction to exist. Attacks that did not result in non-terrorist deaths do not qualify.
2. Iran's financial support to the Taliban's central leadership, which was then distributed to the Haqqani Network and Quetta regional shura, was a substantial factor in the attacks on Boothe, Bland, and Murtha.
3. Iran is liable for battery because it intended its material support to result in harmful contacts with American service members, and that support indirectly caused serious physical injuries.
4. Iran is liable for IIED to the family member plaintiffs because acts of terrorism are inherently extreme and outrageous, and the presence requirement is waived for family members who suffer mental anguish from terrorist attacks.

KEY QUOTATIONS

"The word 'killing,' after all, 'refers to an action resulting in the death of another.' 'By requiring an actual 'killing,' Congress closed the door to attempted, but failed, killings.'" (at 16)

"each attack constitutes 'a separate and distinct occurrence, set apart from other attacks by time, location, the weapons and tactics used, and other specific facts.'" (at 17)

"courts must narrowly construe the FSIA's exceptions in favor of foreign sovereigns and not enlarge those exceptions beyond the statutory language." (at 18)

FACTUAL BACKGROUND

Six U.S. service members were injured in terrorist attacks while deployed to Afghanistan. Plaintiffs alleged Iran provided material support to a syndicate of terrorist groups (including the Taliban) which enabled the attacks. Three plaintiffs (Boothe, Bland, Murtha) were injured in attacks that killed non-terrorists. Three plaintiffs (Chambers, Mitchell, Worthington) were injured in attacks with no evidence of non-terrorist deaths.

PROCEDURAL HISTORY

Plaintiffs sued Iran under the FSIA terrorism exception for injuries from terrorist attacks in Afghanistan. After Iran failed to respond, default was entered. Plaintiffs moved for default judgment.

DISPOSITION

affirmed_in_part_reversed_in_part

CASES CITED

- Borochoy v. Islamic Republic of Iran, 94 F.4th 1053 (D.C. Cir. 2024)

- *Mwani v. Bin Laden*, 417 F.3d 1 (D.C. Cir. 2005)
- *Jerez v. Republic of Cuba*, 775 F.3d 419 (D.C. Cir. 2014)
- *Han Kim v. Dem. People's Republic of Korea*, 774 F.3d 1044 (D.C. Cir. 2014)
- *Owens v. Republic of Sudan*, 864 F.3d 751 (D.C. Cir. 2017)
- *Cabrera v. Islamic Republic of Iran*, No. 19-cv-3835, 2022 WL 2817730 (D.D.C. July 19, 2022)
- *Sibley v. Islamic Republic of Iran*, No. 23-cv-600, 2025 WL 1928036 (D.D.C. July 14, 2025)
- *Rimkus v. Islamic Republic of Iran*, 750 F. Supp. 2d 163 (D.D.C. 2010)
- *Valore v. Islamic Republic of Iran*, 700 F. Supp. 2d 52 (D.D.C. 2010)
- *Baker v. Islamic Republic of Iran*, No. 22-cv-2765, 2025 WL 2480075 (D.D.C. Aug. 28, 2025)
- *Bell Helicopter Textron, Inc. v. Islamic Republic of Iran*, 734 F.3d 1175 (D.C. Cir. 2013)
- *EIG Energy Fund XIV, L.P. v. Petroleo Brasileiro, S.A.*, 104 F.4th 287 (D.C. Cir. 2024)
- *Permanent Mission of India to the U.N. v. City of New York*, 551 U.S. 193 (2007)
- *Cabrera v. Islamic Republic of Iran*, 752 F. Supp. 3d 183 (D.D.C. 2024)
- *Hansen v. Islamic Republic of Iran*, No. 22-cv-477, 2024 WL 3026517 (D.D.C. June 17, 2024)
- *Pautsch v. Islamic Republic of Iran*, No. 20-cv-3859, 2024 WL 3566132 (D.D.C. July 29, 2024)
- *World Wide Minerals, Ltd. v. Republic of Kazakhstan*, 296 F.3d 1154 (D.C. Cir. 2002)
- *Kilburn v. Socialist People's Libyan Arab Jamahiriya*, 376 F.3d 1123 (D.C. Cir. 2004)
- *Selig v. Islamic Republic of Iran*, 573 F. Supp. 3d 40 (D.D.C. 2021)
- *GSS Grp. Ltd. v. Nat'l Port Auth.*, 680 F.3d 805 (D.C. Cir. 2012)
- *Ben-Rafael v. Islamic Republic of Iran*, 540 F. Supp. 2d 39 (D.D.C. 2008)
- *Holladay v. Islamic Republic of Iran*, 406 F. Supp. 3d 55 (D.D.C. 2019)
- *Borochoy v. Islamic Republic of Iran*, 589 F. Supp. 3d 15 (D.D.C. 2022)
- *Foley v. Syrian Arab Republic*, 804 F. Supp. 3d 229 (D.D.C. 2025)
- *Levinson v. Islamic Republic of Iran*, 443 F. Supp. 3d 158 (D.D.C. 2020)
- *Kilburn v. Islamic Republic of Iran*, 699 F. Supp. 2d 136 (D.D.C. 2010)
- *Estate of Fouty v. Syrian Arab Republic*, 743 F. Supp. 3d 118 (D.D.C. 2024)
- *Estate of Hirshfeld v. Islamic Republic of Iran*, 330 F. Supp. 3d 107 (D.D.C. 2018)
- *Murphy v. Islamic Republic of Iran*, 740 F. Supp. 2d 51 (D.D.C. 2010)
- *Fraenkel v. Islamic Republic of Iran*, 892 F.3d 348 (D.C. Cir. 2018)
- *Mark v. Islamic Republic of Iran*, 626 F. Supp. 3d 16 (D.D.C. 2022)
- *Republic of Sudan v. Owens*, 194 A.3d 38 (D.C. 2018)
- *Hill v. Republic of Iraq*, 328 F.3d 680 (D.C. Cir. 2003)
- *Kaplan v. Hezbollah*, 213 F. Supp. 3d 27 (D.D.C. 2016)
- *Schooley v. Islamic Republic of Iran*, No. 17-cv-1376, 2019 WL 2717888 (D.D.C. June 27, 2019)
- *Akins v. Islamic Republic of Iran*, 549 F. Supp. 3d 104 (D.D.C. 2021)
- *Brown v. Islamic Republic of Iran*, 687 F. Supp. 3d 21 (D.D.C. 2023)
- *Heching v. Syrian Arab Republic*, No. 17-cv-1192, 2025 WL 2959909 (D.D.C. Oct. 20, 2025)

- Oveissi v. Islamic Republic of Iran, 768 F. Supp. 2d 16 (D.D.C. 2011)
- Fritz v. Islamic Republic of Iran, 324 F. Supp. 3d 54 (D.D.C. 2018)
- Opati v. Republic of Sudan, 60 F. Supp. 3d 68 (D.D.C. 2014)

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