

1 Stacy Tolchin (CA SBN #217431)
2 *Email: Stacy@Tolchinimmigration.com*
3 Law Offices of Stacy Tolchin
4 776 E. Green St., Suite 210
Pasadena, CA 91101
Telephone: (213) 622-7450
Facsimile: (213) 622-7233

5 Khaled Alrabe (CA SBN #349899)
6 *Email: khaled@nipnlg.org*
7 National Immigration Project of the
National Lawyers Guild (NIPNLG)
8 1763 Columbia Road NW, Suite 175 #896645,
Washington, DC 20009
Telephone: (617) 227-9727 x3
Facsimile: (617) 227-5495

9 *(continued on next page)*
10 Attorneys for Plaintiffs

11 **UNITED STATES DISTRICT COURT FOR THE**
12 **CENTRAL DISTRICT OF CALIFORNIA**

13 STUDENT DOES #4-#19,

14 Plaintiffs,

15 v.

16 KRISTI NOEM, in her official
17 capacity as Secretary of Homeland
18 Security; DEPARTMENT OF
HOMELAND SECURITY; and
TODD LYONS, in his official
capacity as Acting Director of U.S.
Immigration and Customs
Enforcement,
Defendants.

Case No. 2:25-cv-3528

Complaint for Declaratory and
Injunctive Relief

1 Anne Lai (CA SBN #295394)

Email: alai@law.uci.edu

2 UC Irvine School of Law –

Immigrant Rights Clinic

3 401 E. Peltason Dr.

Irvine, CA 92697-8000

4 Telephone: (949) 824-9894

Facsimile: (949) 824-2747

5 Attorneys for Plaintiffs

6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22

INTRODUCTION

1. Plaintiffs Student Does #4 through #19 are university and college students or recent graduates in lawful F-1 status enrolled in school, Curricular Practical Training (CPT) and/or Optional Practical Training (OPT).¹ They are among the more than four thousand F-1 students nationwide who have, since March 2025, had their Student and Exchange Visitor Information Systems (SEVIS) records abruptly and unlawfully terminated by U.S. Immigration and Customs Enforcement (ICE), effectively stripping them of their status and ability to remain in student status in the United States.²

2. The SEVIS is a government database that tracks international students' compliance with their F-1 status. ICE, through the Student and Exchange Visitor Program (SEVP), uses SEVIS to monitor student status. ICE has terminated Plaintiffs' SEVIS records pursuant to a new policy that pairs sweeping visa revocations with actions designed to coerce students to abandon their studies and "self-deport." Prior to this new policy, a visa revocation did not typically lead to termination of a student's SEVIS record. An F-1 visa controls a student's entry into the country, not their continued lawful presence once admitted. Now, under the new policy, ICE appears to be terminating the SEVIS records of every student

¹ CPT and OPT are benefits available to international students in F-1 status allowing them to work in the U.S. in their field of study.

² Andrew Kreighbaum, *Lawsuits Over Foreign Students' Status Find Solid Legal Footing*, Bloomberg Law (April 15, 2025), <https://news.bloomberglaw.com/daily-labor-report/lawsuits-over-foreign-students-status-find-solid-legal-footing>.

1 whose visa is revoked.

2 3. ICE's new policy targets those who have expressed views that the
3 government disagrees with and those who have had minor police contact. Plaintiffs
4 are among those who have had minor interactions with law enforcement, ranging
5 from a juvenile arrest to a misdemeanor arrest with no conviction, and in some
6 cases, a misdemeanor conviction. However, none of the plaintiffs have been
7 convicted of a crime of violence with a potential sentence exceeding one year
8 which would warrant a finding that they violated the terms of their status. See 8
9 C.F.R. § 214.1(g). Plaintiffs were in full compliance with the terms of their F-1
10 status and had not engaged in any conduct that would warrant termination of their
11 status or record.

12 4. ICE's SEVP terminated Plaintiffs' SEVIS records and marked the
13 reason as "OTHER – Individual identified in records check and/or has had their
14 VISA revoked. SEVIS record has been terminated." Some of the plaintiffs have
15 received notification of their visas being revoked and some have not. But even
16 when a visa is revoked, ICE is not authorized to terminate Plaintiff's student status.
17 The grounds cited by ICE in the SEVIS termination do not provide legal authority
18 to terminate Plaintiff's student status or record.

19 5. On information and belief, ICE's SEVIS terminations appear to be
20 primarily aimed at African, Arab, Middle Eastern, Muslim, and Asian students.
21 They have taken place against the backdrop of numerous demands being made of
22 universities by the federal government and threats of cutting off billions of dollars

1 in federal funding. The terminations have created chaos as schools have attempted
2 to understand what is happening and do their best to inform and advise students.

3 6. Plaintiffs do not challenge the revocation of their visas in this action.
4 If ICE believes a student is deportable for having a revoked visa, it has the
5 authority to initiate removal proceedings and make its case in court. It cannot,
6 however, misuse SEVIS to circumvent the law, strip students of status, and drive
7 them out of the country without process. Plaintiffs bring this action under the
8 Administrative Procedure Act (APA), the Fifth Amendment to the U.S.
9 Constitution, and the Declaratory Judgment Act to challenge ICE's illegal SEVIS
10 terminations as to each of them.

11 **JURISDICTION AND VENUE**

12 7. This Court has jurisdiction over the present action based on 28 U.S.C.
13 § 1331 (federal question), 28 U.S.C. § 1346(b) (federal defendant), and 28 U.S.C.
14 § 2201-2 (authority to issue declaratory judgment when jurisdiction already exists).

15 8. Venue is properly with this Court pursuant to 28 U.S.C. § 1391(e)
16 because this is a civil action in which Defendants are employees or officers of the
17 United States, acting in their official capacity; and because Plaintiffs reside within
18 the Central District of California or the events giving rise to this action took place
19 in this judicial district, and there is no real property involved in this action.

20 **PARTIES**

21 9. Student Doe #4 enrolled in OPT after the completion of study at a
22 university in New York, and resides in Orange County. Student Doe #4 seeks to

1 proceed in this action with a pseudonym due to fear of retaliation by Defendants
2 for asserting their rights through this lawsuit, and of harassment or blacklisting by
3 third parties.³

4 10. Student Doe #5 enrolled in OPT after the completion of study at a
5 college in Los Angeles County, and resides in San Diego County. Student Doe #5
6 seeks to proceed in this action with a pseudonym due to fear of retaliation by
7 Defendants for asserting their rights through this lawsuit, and of harassment or
8 blacklisting by third parties.

9 11. Student Doe #6 enrolled as an undergraduate student at a university in
10 Los Angeles County and resides in Los Angeles County. Student Doe #6 seeks to
11 proceed in this action with a pseudonym due to fear of retaliation by Defendants
12 for asserting their rights through this lawsuit, and of harassment or blacklisting by
13 third parties.

14 12. Student Doe #7 enrolled as a graduate student at a university in Los
15 Angeles County and resides in Los Angeles County. Student Doe #7 seeks to
16 proceed in this action with a pseudonym due to fear of retaliation by Defendants
17 for asserting their rights through this lawsuit, and of harassment or blacklisting by
18 third parties.

19 13. Student Doe #8 enrolled as a graduate student at a university in Los
20 Angeles County and resides in Los Angeles County. Student Doe #8 seeks to
21

22 ³ Plaintiffs will separately file a motion to proceed pseudonymously.

1 proceed in this action with a pseudonym due to fear of retaliation by Defendants
2 for asserting their rights through this lawsuit, and of harassment or blacklisting by
3 third parties.

4 14. Student Doe #9 enrolled as an undergraduate student at a university in
5 Los Angeles County and resides in Los Angeles County. Student Doe #9 seeks to
6 proceed in this action with a pseudonym due to fear of retaliation by Defendants
7 for asserting their rights through this lawsuit, and of harassment or blacklisting by
8 third parties.

9 15. Student Doe #10 enrolled in OPT after the completion of study from a
10 university in Orange County and resides in Orange County. Student Doe #10 seeks
11 to proceed in this action with a pseudonym due to fear of retaliation by Defendants
12 for asserting their rights through this lawsuit, and of harassment or blacklisting by
13 third parties.

14 16. Student Doe #11 is enrolled a graduate student at a university in
15 Orange County and resides in Orange County. Student Doe #11 seeks to proceed in
16 this action with a pseudonym due to fear of retaliation by Defendants for asserting
17 their rights through this lawsuit, and of harassment or blacklisting by third parties.

18 17. Student Doe #12 enrolled as an undergraduate student at a college in
19 Los Angeles County and resides in Los Angeles County. Student Doe #12 seeks to
20 proceed in this action with a pseudonym due to fear of retaliation by Defendants
21 for asserting their rights through this lawsuit, and of harassment or blacklisting by
22 third parties.

1 18. Student Doe #13 enrolled in OPT after completion of study at a
2 professional school in Los Angeles County and resides in Los Angeles County.
3 Student Doe #13 seeks to proceed in this action with a pseudonym due to fear of
4 retaliation by Defendants for asserting their rights through this lawsuit, and of
5 harassment or blacklisting by third parties.

6 19. Student Doe #14 enrolled as a graduate student at a university in
7 Orange County and resides in Orange County. Student Doe #14 seeks to proceed in
8 this action with a pseudonym due to fear of retaliation by Defendants for asserting
9 their rights through this lawsuit, and of harassment or blacklisting by third parties.

10 20. Student Doe #15 enrolled as an undergraduate student at a university
11 in the Inland Empire and resides in the Inland Empire. Student Doe #15 seeks to
12 proceed in this action with a pseudonym due to fear of retaliation by Defendants
13 for asserting their rights through this lawsuit, and of harassment or blacklisting by
14 third parties.

15 21. Student Doe #16 enrolled as a graduate student at a university in
16 Orange County and resides in Orange County. Student Doe #16 seeks to proceed in
17 this action with a pseudonym due to fear of retaliation by Defendants for asserting
18 their rights through this lawsuit, and of harassment or blacklisting by third parties.

19 22. Student Doe #17 enrolled as a graduate student at a college in Los
20 Angeles County and resides in Los Angeles County. Student Doe #17 seeks to
21 proceed in this action with a pseudonym due to fear of retaliation by Defendants
22 for asserting their rights through this lawsuit, and of harassment or blacklisting by

1 third parties.

2 23. Student Doe #18 enrolled as a graduate student at a university in
3 Orange County and resides in Orange County. Student Doe #18 seeks to proceed in
4 this action with a pseudonym due to fear of retaliation by Defendants for asserting
5 their rights through this lawsuit, and of harassment or blacklisting by third parties.

6 24. Student Doe #19 enrolled as a graduate student at a university in
7 Orange County and resides in Orange County. Student Doe #19 seeks to proceed in
8 this action with a pseudonym due to fear of retaliation by Defendants for asserting
9 their rights through this lawsuit, and of harassment or blacklisting by third parties.

10 25. Defendant Kristi Noem is the Secretary of Homeland Security and has
11 ultimate authority over the U.S. Department of Homeland Security (DHS). In that
12 capacity and through her agents, Defendant Noem has broad authority over the
13 operation and enforcement of the immigration laws. Defendant Noem is sued in
14 her official capacity.

15 26. Defendant U.S. Department of Homeland Security is a cabinet-level
16 department of the Executive Branch of the federal government and is an “agency”
17 within the meaning of 5 U.S.C. § 551(1). DHS includes various component
18 agencies, including U.S. Immigration Customs and Enforcement.

19 27. Defendant Todd Lyons is the Acting Director of ICE and has
20 authority over the operations of ICE. In that capacity and through his agents,
21 Defendant Lyons has broad authority over the operation and enforcement of the
22 immigration laws. Defendant Lyons is sued in his official capacity. ICE is

1 responsible for the termination of Student Does' SEVIS records.

2 **LEGAL FRAMEWORK**

3 28. A nonimmigrant visa controls a noncitizen's admission into the
4 United States, not their continued stay. Congress established a statutory basis for
5 student visas under 8 U.S.C. § 1101(a)(15)(F)(i), requiring that a noncitizen engage
6 in a full course of study to maintain nonimmigrant status. Once admitted in F-1
7 status, a student is granted permission to remain in the United States for the
8 duration of status (D/S) as long as they continue to meet the requirements
9 established by the regulations governing their visa classification in 8 C.F.R. §
10 214.2(f), such as maintaining a full course of study and avoiding unauthorized
11 employment.

12 29. An international student who has completed study may be eligible for
13 CPT or OPT, which allows foreign nationals on an F-1 student visa to engage in
14 employment during and/or after completing a course of study at a U.S. educational
15 institution. *See* 8 C.F.R. § 214.2(f)(10)(ii). Students may also be employed by their
16 education institutions directly, for example as teaching assistants. SEVIS
17 enrollment must be valid in order for employment to be authorized.

18 30. The SEVIS is a centralized database maintained by the SEVP within
19 ICE used to manage information on nonimmigrant students and exchange visitors.
20 Under 8 C.F.R. § 214.3(g)(2), Designated School Officials (DSOs) must report
21 through SEVIS to SEVP when a student fails to maintain status. SEVIS
22 termination is governed by SEVP policy and regulations.

1 31. The SEVIS record is not merely a passive tracking tool; rather, it is
2 the operational mechanism through which student status is actively managed and
3 validated. Having an active SEVIS record is functionally equivalent to having
4 lawful student status. DHS's practice and regulations have consistently affirmed
5 that a terminated SEVIS record equates to terminated student status. For example,
6 DHS commonly points to the termination of SEVIS status in Immigration Court as
7 evidence that a student is in violation of their student status and is therefore
8 removable. *See, e.g., In Re: Myoung Sook Park*, AXXX XX2 580, 2017 WL
9 1330106 (BIA Mar. 8, 2017); *In Re: Enrique Ganesh Doreste Kathiravetpillai*,
10 2010 WL 2390757 (BIA May 27, 2010). Additionally, when a student seeks
11 reinstatement of student status after falling out of status, USCIS "will update
12 SEVIS to reflect USCIS's decision." 8 C.F.R. § 214.2(f)(16)(ii).

13 32. SEVIS termination renders students ineligible for employment,
14 including under OPT or CPT, ineligible to request a reduced course load, and
15 ineligible to change status or transfer schools. SEVIS is the system through which
16 SEVP-certified schools issue the Form I-20, "Certificate of Eligibility for
17 Nonimmigrant Student Status," a document central to demonstrating a student is
18 maintaining nonimmigrant status while in the country. An I-20 is necessary for,
19 *inter alia*, authorization under OPT or CPT, 8 C.F.R. §§ 214.2(f)(10)(i), (11)(i)-(ii),
20 and school transfer, 8 C.F.R. § 214.2(f)(8)(ii). A student whose SEVIS record is
21 terminated has no valid Form I-20.

22 33. DHS regulations distinguish between two separate ways a student

1 may fall out of status: (1) a student who “fails to maintain status,” and (2) an
2 agency-initiated “termination of status.”

3 34. The first category, failure to maintain status, involves circumstances
4 where a student voluntarily or inadvertently falls out of compliance with the F-1
5 visa requirements, for example by failing to maintain a full course of study,
6 engaging in unauthorized employment, or other violations of their status
7 requirements under 8 C.F.R. § 214.2(f). In addition, 8 C.F.R. §§ 214.1(e)–(g)
8 outlines specific circumstances where certain conduct by any nonimmigrant visa
9 holder, such as engaging in unauthorized employment, providing false information
10 to DHS, or being convicted of a crime of violence with a potential sentence of
11 more than a year, “constitutes a failure to maintain status.”

12 35. With the respect to the crime of violence category, 8 C.F.R. §
13 214.1(g) sets forth that a nonimmigrant’s conviction “for a crime of violence for
14 which a sentence of more than one year imprisonment may be imposed (regardless
15 of whether such sentence is in fact imposed) constitutes a failure to maintain status
16” Minor misdemeanor offenses do not meet this threshold for termination
17 based on criminal history.

18 36. The second category, termination of status by DHS, can occur only
19 under the limited circumstances set forth in 8 C.F.R. § 214.1(d), which only
20 permits DHS to terminate status when: (1) a previously granted waiver under INA
21 § 212(d)(3) or (4) [8 U.S.C. § 1182(d)(3) or (4)] is revoked; (2) a private bill to
22 confer lawful permanent residence is introduced in Congress; or (3) DHS publishes

1 a notification in the Federal Register identifying national security, diplomatic, or
2 public safety reasons for termination. DHS cannot otherwise unilaterally terminate
3 nonimmigrant status.⁴

4 37. The revocation of a visa does not constitute failure to maintain status
5 and cannot therefore be a basis for SEVIS termination. If a visa is revoked prior to
6 the student's arrival to the United States, then a student may not enter and the
7 SEVIS record is terminated. However, the SEVIS record may not be terminated as
8 a result of a visa revocation after a student has been admitted into the United
9 States, because the student is permitted to continue the authorized course of study.⁵
10 This is true even where a visa is revoked based on a DUI.

11 38. ICE's own guidance confirms that "[v]isa revocation is not, in itself, a
12 cause for termination of the student's SEVIS record."⁶ Rather, if the visa is
13 revoked, the student is permitted to pursue their course of study in school, but upon
14 departure, the SEVIS record is terminated and the student must obtain a new visa
15 from a consulate or embassy abroad before returning to the United States.⁷

16
17 ⁴ See *Jie Fang v. Dir. United States Immigr. & Customs Enft*, 935 F.3d 172, 185 n.
100 (3d Cir. 2019).

18 ⁵ ICE Policy Guidance 1004-04 – Visa Revocations (June 7, 2010), available at
19 https://www.ice.gov/doclib/sevis/pdf/visa_revocations_1004_04.pdf

20 ⁶ *Id.*

21 ⁷ Guidance Directive 2016-03, 9 FAM 403.11-3 – VISA REVOCATION (Sept. 12,
22 2016), available at <https://www.aila.org/library/dos-guidance-directive-2016-03-on-visa-revocation>.

1 39. While a visa revocation *can* be charged as a ground of deportability in
2 removal proceedings, deportability can be contested in such proceedings.⁸ The
3 immigration judge may also even dismiss removal proceedings where a visa is
4 revoked, so long as a student is able to remain in valid status.⁹ Only when a final
5 removal order is entered would status be lost.

6 40. A student who has not violated their F-1 status, even if their visa is
7 revoked, cannot have a SEVIS record terminated based on a deportability ground
8 alone.

9 41. The immigration courts have no ability to review the SEVIS
10 termination here because the process is collateral to removal.¹⁰ There is also no
11 administrative appeal of a denial to reinstate F-1 status. The termination of a
12 SEVIS record constitutes final agency action for purposes of APA review.¹¹

13 42. Some international students whose SEVIS records were recently
14 terminated as a result of ICE's new policy have been arrested and placed in
15 removal proceedings. On its website, DHS states that when a SEVIS record is
16

17 ⁸ See 8 USC § 1227(a)(1)(B); 8 U.S.C. § 1201(i) (allowing immigration court
18 review of visa revocation).

19 ⁹ 8 C.F.R. § 1003.18(d)(ii)(B).

20 ¹⁰ See *Nakka v. United States Citizenship & Immigr. Servs.*, 111 F.4th 995, 1007
21 (9th Cir. 2024); *Jie Fang v. Dir. United States Immigr. & Customs Enft*, 935 F.3d
22 172, 183 (3d Cir. 2019).

¹¹ See *Fang*, 935 F.3d at 185.

1 terminated, “Immigration and Customs Enforcement (ICE) agents may investigate
2 to confirm the departure of the student.”¹²

3 **FACTUAL ALLEGATIONS**

4 43. All Plaintiffs are international students who have had their SEVIS
5 records terminated in recent weeks. They appear to have been targeted based on
6 minor arrests, charges, and /or convictions, sometimes from many years ago. The
7 sudden termination of their SEVIS records has effectively rendered them without
8 status, cut off their ability to access to the benefits associated with F-1 student
9 status, and made them vulnerable to detention and deportation by immigration
10 authorities. Plaintiffs have been experiencing high levels of stress and anxiety
11 since receiving notice of their terminations.

12 44. Previously, when international students had a visa revocation, they
13 might have received a communication from the consulate indicating they would no
14 longer be able to travel on their visa. They would not have been told they had lost
15 their student status.

16 45. When Plaintiffs have been notified of visa revocations under the new
17 policy, they have received a very type of email from the consulate. The emails
18 state, *inter alia*:

19 On behalf of the United States Department of State, the Bureau of
20 Consular Affairs Visa Office hereby informs you that additional

21 ¹² DHS, Terminate a Student (last updated Nov. 7, 2024),
22 <https://studyinthestates.dhs.gov/sevis-help-hub/student-records/completions-and-terminations/terminate-a-student>.

1 information became available after your visa was issued. As a result,
2 your F-1 visa . . . has been revoked under Section 221(i) of the United
States Immigration and Nationality Act, as amended.

3 The Bureau of Consular Affairs Visa Office has alerted the Department
4 of Homeland Security's Immigration and Customs Enforcement, which
5 manages the Student Exchange Visitor Program and is responsible for
removal proceedings. They may notify your designated school official
about the revocation of your F-1 visa.

6 Remaining in the United States without a lawful immigration status can
7 result in fines, detention, and/or deportation. It may also make you
ineligible for a future U.S. visa. Please note that deportation can take
8 place at a time that does not allow the person being deported to secure
possessions or conclude affairs in the United States. Persons being
deported may be sent to countries other than their countries of origin.

9 Given the gravity of this situation, individuals whose visa was revoked
10 may wish to demonstrate their intent to depart the United States using
the CBP Home App at [https://www.cbp.gov/about/mobile-apps-](https://www.cbp.gov/about/mobile-apps-directory/cbphome)
11 [directory/cbphome](https://www.cbp.gov/about/mobile-apps-directory/cbphome).

12 46. These messages are plainly designed—together with the SEVIS
13 terminations—to intimidate students, including Plaintiffs, into abandoning their
14 studies and immediately leaving the country. Some students have already done so.

15 47. Some students' SEVIS terminations previously stated the reason for
16 termination as a "failure to maintain status," but recently, on or about April 8,
17 2025, ICE created a new option for SEVP termination and changed the termination
18 reasons in SEVIS to "OTHER – Individual identified in criminal records check
19 and/or has had their VISA revoked. SEVIS record has been terminated."

20 ***Student Doe #4***

21 48. Plaintiff Student Doe #4 is an international student who recently
22 completed graduate studies at a university in the United States and has been

1 working under OPT with SEVIS enrollment in California.

2 49. Plaintiff Student Doe #4 first came to study in the United States on a
3 student visa approximately ten years ago. Following a misdemeanor arrest in
4 which no criminal charges were ever filed, Plaintiff Student Doe #4's visa was
5 revoked.

6 50. Because the visa revocation did not impact Plaintiff Student Doe #4's
7 status, Plaintiff Student Doe #4 continued to study in the United States, eventually
8 going to graduate school and receiving authorization for OPT.

9 51. Plaintiff Student Doe #4 does not have any other criminal history and
10 has otherwise complied with the terms of their status. Plaintiff Student Doe #4 has
11 not engaged in any significant political activity.

12 52. On April 8, 2025, Plaintiff Student Doe #4 received notice from their
13 university that their SEVIS had been terminated. Plaintiff Student Doe #4 was not
14 given prior notice as to why this happened or given any opportunity to respond.
15 Plaintiff Student Doe #4 is unaware of the factual basis for the termination of their
16 SEVIS status.

17 53. Plaintiff Student Doe #4 was forced to immediately stop employment.

18 54. DHS has not initiated removal proceedings against Plaintiff Student
19 Doe # 4.

20 ***Student Doe #5***

21 55. Plaintiff Student Doe #5 is an international student who recently
22 completed undergraduate studies at a college in Los Angeles County and has been

1 working under OPT with SEVIS enrollment.

2 56. Plaintiff Student Doe #5's only criminal history is a misdemeanor
3 conviction for driving under the influence of alcohol, which is not a crime of
4 violence with a potential sentence of more than a year.

5 57. Plaintiff Student Doe #5 has otherwise complied with the terms of
6 their status. Plaintiff Student Doe #5 has not engaged in any significant political
7 activity.

8 58. On April 8, 2025, Plaintiff Student Doe #5 received learned that their
9 SEVIS had been terminated. Plaintiff Student Doe #5 was not given prior notice as
10 to why this happened or given any opportunity to respond. Plaintiff Student Doe #5
11 is unaware of the factual basis for the termination of their SEVIS status.

12 59. Plaintiff Student Doe #5 was forced to immediately stop employment.

13 60. DHS has not initiated removal proceedings against Plaintiff Student
14 Doe # 5.

15 ***Student Doe #6***

16 61. Plaintiff Student Doe #6 is an international student who enrolled as an
17 undergraduate in a full course of study at a college in Los Angeles County.

18 62. Plaintiff Student Doe #6's only criminal history is a misdemeanor
19 arrest for driving under the influence of alcohol. No charges were ever filed and
20 there was no conviction.

21 63. Plaintiff Student Doe #6 has otherwise complied with the terms of
22 their status. Plaintiff Student Doe #6 has not engaged in any significant political

1 activity.

2 64. On April 10, 2025, Plaintiff Student Doe #6 received notice that their
3 SEVIS had been terminated. Plaintiff Student Doe #6 was not given prior notice as
4 to why this happened or given any opportunity to respond. Plaintiff Student Doe #6
5 is unaware of the factual basis for the termination of their SEVIS status.

6 65. DHS has not initiated removal proceedings against Plaintiff Student
7 Doe # 6.

8 ***Student Doe #7***

9 66. Plaintiff Student Doe #7 is an international student who enrolled as
10 an undergraduate in a full course of study at a university in Los Angeles County.

11 67. Plaintiff Student Doe #7's only criminal history is an arrest for
12 misdemeanor domestic violence related charge, but the case was dismissed and
13 there was no conviction or penalty imposed.

14 68. Plaintiff Student Doe #7 has otherwise complied with the terms of
15 their status. Plaintiff Student Doe #7 has not engaged in any significant political
16 activity.

17 69. On April 4, 2025, Plaintiff Student Doe #7 received notice that their
18 SEVIS had been terminated. Plaintiff Student Doe #7 was not given prior notice as
19 to why this happened or given any opportunity to respond. Plaintiff Student Doe #7
20 is unaware of the factual basis for the termination of their SEVIS status. Plaintiff
21 Student Doe #7 received notice that their visa had been revoked on April 9, 2025.

22 70. DHS has not initiated removal proceedings against Plaintiff Student

1 Doe # 7.

2 ***Student Doe #8***

3 71. Plaintiff Student Doe #8 is an international student who enrolled as a
4 graduate student in a full course of study at a university in Los Angeles County.

5 72. Plaintiff Student Doe #8's only criminal history was an arrest for a
6 misdemeanor domestic violence related charge, but no case was ever filed and
7 therefore there was no conviction.

8 73. Plaintiff Student Doe #8 has otherwise complied with the terms of
9 their status. Plaintiff Student Doe #8 has not engaged in any significant political
10 activity.

11 74. On April 8, 2025, Plaintiff Student Doe #8 received notice that their
12 SEVIS had been terminated. Plaintiff Student Doe #8 was not given prior notice as
13 to why this happened or given any opportunity to respond. Plaintiff Student Doe #8
14 is unaware of the factual basis for the termination of their SEVIS status. Plaintiff
15 Student Doe #8 received notice that their visa had been revoked on April 9, 2025.

16 75. DHS has not initiated removal proceedings against Plaintiff Student
17 Doe # 8.

18 ***Student Doe #9***

19 76. Plaintiff Student Doe #9 is an international student who enrolled as a
20 graduate student in a full course of study at a university in Los Angeles County.

21 77. Plaintiff Student Doe #9's only criminal history is an arrest for a
22 misdemeanor assault charge, but no charges were ever filed in court and therefore

1 there was no conviction.

2 78. Plaintiff Student Doe #9 has otherwise complied with the terms of
3 their status. Plaintiff Student Doe #9 has not engaged in any significant political
4 activity.

5 79. On April 10, 2025, Plaintiff Student Doe #9 received notice that their
6 SEVIS had been terminated. Plaintiff Student Doe #9 was not given prior notice as
7 to why this happened or given any opportunity to respond. Plaintiff Student Doe #9
8 is unaware of the factual basis for the termination of their SEVIS status.

9 80. DHS has not initiated removal proceedings against Plaintiff Student
10 Doe # 9.

11 ***Student Doe #10***

12 81. Plaintiff Student Doe #10 is an international student who recently
13 completed graduate studies at a university in Orange County and has been working
14 under OPT with SEVIS enrollment.

15 82. Plaintiff Student Doe #10's only criminal history is an arrest for
16 misdemeanor disorderly conduct, but the charges were eventually dismissed and
17 therefore there was no conviction.

18 83. Plaintiff Student Doe #10 has otherwise complied with the terms of
19 their status. Plaintiff Student Doe #10 has not engaged in any significant political
20 activity.

21 84. On April 10, 2025, Plaintiff Student Doe #10 received notice that their
22 SEVIS had been terminated. Plaintiff Student Doe #10 was not given prior notice

1 as to why this happened or given any opportunity to respond. Plaintiff Student Doe
2 #10 is unaware of the factual basis for the termination of their SEVIS status.

3 85. Plaintiff Student Doe #10 was forced to immediately stop
4 employment.

5 86. DHS has not initiated removal proceedings against Plaintiff Student
6 Doe #10.

7 ***Student Doe #11***

8 87. Plaintiff Student Doe #11 is an international student who enrolled as a
9 graduate student in a full course of study at a university in Orange County.

10 88. Plaintiff Student Doe #11's only criminal history is an arrest for a
11 misdemeanor shoplifting charge that has not resulted in a conviction. Plaintiff
12 Student Doe #11 was also previously cited for driving without a valid license, but
13 the citation was dismissed and did not result in a conviction.

14 89. Plaintiff Student Doe #11 has otherwise complied with the terms of
15 their status. Plaintiff Student Doe #11 has not engaged in any significant political
16 activity.

17 90. On April 9, 2025, Plaintiff Student Doe #11 received notice that their
18 SEVIS had been terminated. Plaintiff Student Doe #11 was not given prior notice
19 as to why this happened or given any opportunity to respond. Plaintiff Student Doe
20 #11 is unaware of the factual basis for the termination of their SEVIS status.

21 91. DHS has not initiated removal proceedings against Plaintiff Student
22 Doe #11.

1 ***Student Doe #12***

2 92. Plaintiff Student Doe #12 is an international student who enrolled as
3 an undergraduate in a full course of study at a college in Los Angeles County.

4 93. Plaintiff Student Doe #12's only criminal history is a misdemeanor
5 conviction for driving under the influence of alcohol. Plaintiff Student Doe # 12
6 completed all conditions and the case was closed.

7 94. Plaintiff Student Doe #12 has otherwise complied with the terms of
8 their status. Plaintiff Student Doe #12 has not engaged in any significant political
9 activity.

10 95. On March 31, 2025, Plaintiff Student Doe #12 received notice that
11 their SEVIS had been terminated. Plaintiff Student Doe #12 was not given prior
12 notice as to why this happened or given any opportunity to respond. Plaintiff
13 Student Doe #12 is unaware of the factual basis for the termination of their SEVIS
14 status.

15 96. DHS has not initiated removal proceedings against Plaintiff Student
16 Doe #12.

17 ***Student Doe #13***

18 97. Plaintiff Student Doe #13 is an international student who recently
19 completed graduate studies at a professional school in Los Angeles County and has
20 been working under OPT with SEVIS enrollment.

21 98. Plaintiff Student Doe #13's only criminal history is an arrest related to
22 driving without a license. The charge was dismissed and there was no conviction.

1 99. Plaintiff Student Doe #13 has otherwise complied with the terms of
2 their status. Plaintiff Student Doe #13 has not engaged in any significant political
3 activity.

4 100. On April 4, 2025, Plaintiff Student Doe #13 received notice that their
5 SEVIS had been terminated. Plaintiff Student Doe #13 was not given prior notice
6 as to why this happened or given any opportunity to respond. Plaintiff Student Doe
7 #13 is unaware of the factual basis for the termination of their SEVIS status.
8 Plaintiff Student Doe #13 was informed that their visa was revoked on April 7,
9 2025.

10 101. Plaintiff Student Doe #13 was forced to immediately stop
11 employment.

12 102. DHS has not initiated removal proceedings against Plaintiff Student
13 Doe #13.

14 ***Student Doe #14***

15 103. Plaintiff Student Doe #14 is an international student who enrolled as a
16 graduate student in a full course of study at a university in Orange County.

17 104. Plaintiff Student Doe #14's only criminal history is a misdemeanor
18 domestic violence related arrest. No charges were filed and therefore, there was no
19 conviction.

20 105. Plaintiff Student Doe #14 has otherwise complied with the terms of
21 their status. Plaintiff Student Doe #14 has not engaged in any significant political
22 activity.

1 106. On April 9, 2025, Plaintiff Student Doe #14 received notice that their
2 SEVIS had been terminated. Plaintiff Student Doe #14 was not given prior notice
3 as to why this happened or given any opportunity to respond. Plaintiff Student Doe
4 #14 is unaware of the factual basis for the termination of their SEVIS status.

5 107. DHS has not initiated removal proceedings against Plaintiff Student
6 Doe #14.

7 ***Student Doe #15***

8 108. Plaintiff Student Doe #15 is an international student who enrolled as
9 an undergraduate in a full course of study at a university in the Inland Empire.

10 109. Plaintiff Student Doe #15's only criminal history is a domestic
11 violence related arrest. No charges were ever filed and therefore there was no
12 conviction.

13 110. Plaintiff Student Doe #15 has otherwise complied with the terms of
14 their status. Plaintiff Student Doe #15 has not engaged in any significant political
15 activity.

16 111. On April 9, 2025, Plaintiff Student Doe #15 received notice that their
17 SEVIS had been terminated. Plaintiff Student Doe #15 was not given prior notice
18 as to why this happened or given any opportunity to respond. Plaintiff Student Doe
19 #15 is unaware of the factual basis for the termination of their SEVIS status.
20 Plaintiff Student Doe #15 was informed that their visa was revoked on the same
21 day.

22 112. DHS has not initiated removal proceedings against Plaintiff Student

1 Doe #15.

2 ***Student Doe #16***

3 113. Plaintiff Student Doe #16 is an international student who enrolled as a
4 graduate student in a full course of study at a university in Orange County.

5 114. Plaintiff Student Doe # 16's only criminal history is a domestic
6 violence related arrest. No charges were filed and therefore there was no
7 conviction.

8 115. Plaintiff Student Doe #16 has otherwise complied with the terms of
9 their status. Plaintiff Student Doe #16 has not engaged in any significant political
10 activity.

11 116. On April 3, 2025, Plaintiff Student Doe #16 received notice that their
12 SEVIS had been terminated. Plaintiff Student Doe #16 was not given prior notice
13 as to why this happened or given any opportunity to respond. Plaintiff Student Doe
14 #16 is unaware of the factual basis for the termination of their SEVIS status.

15 117. DHS has not initiated removal proceedings against Plaintiff Student
16 Doe #16.

17 ***Student Doe #17***

18 118. Plaintiff Student Doe #17 is an international student who enrolled as a
19 graduate student in a full course of study at a university in Los Angeles County.

20 119. Plaintiff Student Doe #17's only criminal history was an arrest for
21 battery. No charges were brought and therefore there was no conviction.

22 120. Plaintiff Student Doe #17 has otherwise complied with the terms of

1 their status. Plaintiff Student Doe #17 has not engaged in any significant political
2 activity.

3 121. On April 9, 2025, Plaintiff Student Doe #17 received notice that their
4 SEVIS had been terminated. Plaintiff Student Doe #17 was not given prior notice
5 as to why this happened or given any opportunity to respond. Plaintiff Student Doe
6 #17 is unaware of the factual basis for the termination of their SEVIS status.

7 122. DHS has not initiated removal proceedings against Plaintiff Student
8 Doe #17.

9 ***Student Doe #18***

10 123. Plaintiff Student Doe #18 is an international student enrolled as a
11 graduate student in a full course of study at a university in Orange County.

12 124. Plaintiff Student Doe #18's only criminal history is an arrest for
13 misdemeanor petty theft, but the charge was eventually dismissed and therefore
14 there was no conviction.

15 125. Plaintiff Student Doe #18 has otherwise complied with the terms of
16 their status. Plaintiff Student Doe #18 has not engaged in any significant political
17 activity.

18 126. On April 10, 2025, Plaintiff Student Doe #18 received notice from
19 their university that their SEVIS had been terminated. Plaintiff Student Doe #18
20 was not given prior notice as to why this happened or given any opportunity to
21 respond. Plaintiff Student Doe #18 is unaware of the factual basis for the
22 termination of their SEVIS status. On April 19, 2025, Plaintiff Student Doe #18

1 received notice that their visa had been revoked.

2 127. Plaintiff Student Doe #18 was forced to immediately stop
3 employment.

4 128. DHS has not initiated removal proceedings against Plaintiff Student
5 Doe #18.

6 ***Student Doe #19***

7 129. Plaintiff Student Doe #19 is an international student enrolled as a
8 graduate student in a full course of study at a university in Orange County.

9 130. Plaintiff Student Doe #19 first came to the United States as an
10 undergraduate student. Following an arrest and conviction for driving under the
11 influence of alcohol, Plaintiff Student Doe #19's visa was revoked.

12 131. Because the visa revocation did not impact Plaintiff Student Doe
13 #19's status, Plaintiff Student Doe #19 continued to study in the United States,
14 eventually going to graduate school. Each time they moved to a different school,
15 they were able to obtain a new I-20 with no problems.

16 132. Plaintiff Student Doe #19 does not have any other criminal history
17 and has otherwise complied with the terms of their status. Plaintiff Student Doe
18 #19 has not engaged in any significant political activity.

19 133. On April 7, 2025, Plaintiff Student Doe #19 received notice from their
20 university that their SEVIS had been terminated. Plaintiff Student Doe #19 was not
21 given prior notice as to why this happened or given any opportunity to respond.
22 Plaintiff Student Doe #19 is unaware of the factual basis for the termination of

1 their SEVIS status. On April 15, 2025, Plaintiff Student Doe #19 received notice
2 that their visa had been revoked, even though their visa had already been revoked.

3 134. Plaintiff Student Doe #19 was forced to immediately stop
4 employment.

5 135. DHS has not initiated removal proceedings against Plaintiff Student
6 Doe #19.

7 * * *

8 136. The SEVIS terminations have created havoc and uncertainty for
9 schools as well. Schools are scrambling to respond to these unprecedented actions
10 and determine whether and how they can help their international students.¹³

11 137. Intervention by the Court is necessary to remedy Defendants' illegal
12 conduct.

13 **CAUSES OF ACTION**

14 **FIRST CAUSE OF ACTION**

15 **Administrative Procedure Act** 16 *(Unauthorized SEVIS Termination)*

17 138. Plaintiff incorporates the allegations in the paragraphs above as though
18 fully set forth here.

19
20
21 ¹³ See Liam Knox, *How Trump is Wreaking Havoc on the Student Visa System*,
22 Inside Higher Ed, April 5, 2024,
[https://www.insidehighered.com/news/global/international-students-
us/2025/04/03/how-trump-wreaking-havoc-student-visa-system](https://www.insidehighered.com/news/global/international-students-us/2025/04/03/how-trump-wreaking-havoc-student-visa-system).

1 144. Once a student is lawfully admitted to the United States in F-1 status
2 and complies with the regulatory requirements of that status, the continued
3 registration of that student in SEVIS is governed by specific and mandatory
4 regulations. Because these regulations impose mandatory constraints on agency
5 action and because SEVIS registration is necessary for a student to remain enrolled
6 as an international student, Plaintiff has a constitutionally protected property
7 interest in their SEVIS registration. *See ASSE Int'l, Inc. v. Kerry*, 803 F.3d 1059
8 (9th Cir. 2015) (recognizing protected property interest in participating in exchange
9 visitor program); *Brown v. Holder*, 763 F.3d 1141, 1148 (9th Cir. 2014)
10 (recognizing protected property interest in nondiscretionary application for
11 naturalization).

12 145. Defendants terminated Plaintiff's SEVIS record based on improper
13 grounds without prior notice and without providing Plaintiff an opportunity to
14 respond. The failure to provide notice of the facts that formed the basis for the
15 SEVIS termination is a violation of due process under the Fifth Amendment.

16 **THIRD CAUSE OF ACTION**

17 **Administrative Procedure Act** 18 *(Procedural Due Process)*

19 146. Plaintiff incorporates the allegations in the paragraphs above as though
20 fully set forth here.
21
22

1 147. Under § 706(a) of the APA, final agency action can be set aside if it is
2 “contrary to a constitutional right, power, privilege, or immunity.” 5 U.S.C. §
3 706(2)(B).

4 148. Defendants terminated Plaintiff’s SEVIS record based on improper
5 grounds without prior notice and without providing Plaintiff an opportunity to
6 respond. The failure to provide notice of the facts that formed the basis for the
7 SEVIS termination is a violation of due process under the Fifth Amendment.

8 149. Accordingly, Defendants’ action is contrary to a constitutional right.

9 **FOURTH CAUSE OF ACTION**

10 **Administrative Procedure Act**
11 *(Arbitrary and Capricious SEVIS Termination)*

12 150. Plaintiff incorporates the allegations in the paragraphs above as though
13 fully set forth here.

14 151. Under § 706(a) of the APA, final agency action can be set aside if it is
15 “arbitrary, capricious, an abuse of discretion, or otherwise not in accordance with
16 law,” including if it fails to make a rational connection between the facts found and
17 the decision made. 5 U.S.C. § 706(2)(A).

18 152. Defendants failed to articulate the facts that formed a basis for their
19 decision to terminate Plaintiff’s SEVIS status in violation of the APA, let alone any
20 rational connection between the facts found and the decision made.

21 153. Defendants’ action is therefore arbitrary and capricious.
22

PRAYER FOR RELIEF

WHEREFORE, Plaintiff prays that this Court grant the following relief:

- (1) Assume jurisdiction over this matter;
- (2) Declare that the termination of Plaintiff's SEVIS status was unlawful;
- (3) Vacate and set aside DHS's termination of Plaintiff's SEVIS status;
- (4) Order that Defendants restore Plaintiff's SEVIS record and status;
- (5) Award costs and reasonable attorney fees under the Equal Access to Justice Act, 28 U.S.C. § 2412(b); and
- (6) Grant such further relief as the Court deems just and proper.

Dated: April 21, 2025

Respectfully Submitted,

/s/ Khaled Alrabe

Email:

Stacy@Tolchinimmigration.com

Law Offices of Stacy Tolchin

776 E. Green St., Suite 210

Pasadena, CA 91101

Telephone: (213) 622-7450

Facsimile: (213) 622-7233

Khaled Alrabe (CA SBN #349899)

Email: khaled@nipnlg.org

1 National Immigration Project of the
2 National Lawyers Guild (NIPNLG)
3 National Immigration Project of the
4 National Lawyers Guild (NIPNLG)
5 1763 Columbia Road NW, Suite 175
6 #896645,
7 Washington, DC 20009
8 Telephone: (617) 227-9727 x3
9 Facsimile: (617) 227-5495

10 Anne Lai (CA SBN #295394)
11 *Email: alai@law.uci.edu*
12 UC Irvine School of Law –
13 Immigrant Rights Clinic
14 401 E. Peltason Dr.
15 Irvine, CA 92697-8000
16 Telephone: (949) 824-9894
17 Facsimile: (949) 824-2747
18
19
20
21
22