

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF RHODE ISLAND

DORCAS INTERNATIONAL)
INSTITUTE OF RHODE ISLAND;)
REFUGEE DREAM CENTER;)
SERVICE EMPLOYEES)
INTERNATIONAL UNION;)
INTERNATIONAL UNION, UNITED)
AUTOMOBILE, AEROSPACE AND)
AGRICULTURAL IMPLEMENT)
WORKERS OF AMERICA;)
AFRICAN COMMUNITIES)
TOGETHER;)
VENEZUELAN ASSOCIATION OF)
MASSACHUSETTS;)
PARTNERSHIP FOR THE)
ADVANCEMENT OF NEW)
AMERICANS; and)
AMERICAN GATEWAYS,)
Plaintiffs,)
v.)
UNITED STATES CITIZENSHIP)
AND IMMIGRATION SERVICES;)
JOSEPH EDLOW, *in his official*)
capacity as Director of the United)
States Citizenship and Immigration)
Services;)
DEPARTMENT OF HOMELAND)
SECURITY; and)
MARKWAYNE MULLIN, *in his official*)
capacity as Secretary of the)
Department of Homeland Security,)
Defendants.)

No. 26-cv-132-JJM-PAS

ORDER

On June 5, 2026, the Court issued an Order, granting in part Plaintiffs’ Motion for Summary Judgment and denying in part the Government’s Cross-Motion for Summary Judgment. *See* ECF No. 28; *see also Dorcas Int’l Inst. of R.I. v. U.S. Citizenship & Immigr. Servs.* (“*Dorcas*”), No. 26-cv-132-JJM-PAS, --- F. Supp. 3d ---, 2026 WL 1622708 (D.R.I. June 5, 2026). As the Court explained then, under the Administrative Procedure Act (“APA”), “[e]ach of the Challenged Policies that USCIS [United States Citizenship and Immigration Services] enacted—the Benefits Hold Policy, the Global Asylum Hold Policy, the Comprehensive Re-Review Policy, and the Country-Specific Factors Policy—are declared unlawful and are vacated and set aside.” *Dorcas*, 2026 WL 1622708, at 2. Plaintiffs did not move for summary judgment on their constitutional claims, and the Court denied without prejudice the Government’s separate Motion to Dismiss those claims. *Id.* at 56–57.

The Government now wishes to appeal the Court’s ruling and seek a stay pending appeal. *See* ECF No. 31 at 2. So that it may do so, the Government requests that the Court enter partial final judgment on Plaintiffs’ APA claims under Rule 54(b) of the Federal Rules of Civil Procedure. *Id.* Plaintiffs do not oppose the Government’s request. *See* ECF No. 34 at 4–5. Plaintiffs have, however, filed a separate motion, asking the Court to enforce its prior Order. *See* ECF No. 35.

To begin, Rule 54(b) provides that, “[w]hen an action presents more than one claim for relief . . . , the court may direct entry of a final judgment as to one or more, but fewer than all, claims . . . only if the court expressly determines that there is no

just reason for delay.” Fed. R. Civ. P. 54(b). Thus, to certify a partial final judgment under this provision, the first step is to “ensure that the ruling underlying the proposed judgment is final.” *Nystedt v. Nigro*, 700 F.3d 25, 29 (1st Cir. 2012) (citing *Spiegel v. Trs. of Tufts Coll.*, 843 F.2d 38, 42 (1st Cir. 1988)). “The finality requirement is satisfied as long as the ‘trial court action underlying the judgment disposed of all the rights and liabilities of at least one party as to at least one claim.’” *Amyndas Pharms., S.A. v. Zealand Pharma A/S*, 48 F.4th 18, 28 (1st Cir. 2022) (quoting *Credit Francais Int’l, S.A. v. Bio-Vita, Ltd.*, 78 F.3d 698, 706 (1st Cir. 1996)). Here, the entry of partial summary judgment on Plaintiffs’ APA claims fully resolved those claims,¹ thereby rendering them sufficiently final.

Rule 54(b) also requires the Court to find that “there is no just reason for delay” in entering partial final judgment on the resolved claims. Fed. R. Civ. 54(b); *see also Amyndas*, 48 F.4th at 28. Under this standard, the Court “typically must make an individualized assessment of the desirability and effect of an immediate appeal.” *Quinn v. City of Boston*, 325 F.3d 18, 26 (1st Cir. 2003) (citing *Spiegel*, 843 F.2d at 42–43). This requires the Court to consider additional factors, such as “whether the disputed ruling raises legal or factual issues that overlap with any claims that remain pending” and “how the equities and efficiencies of piecemeal review would compare

¹ In their Complaint, Plaintiffs’ APA claims are listed as follows: Count I (contrary-to-law claim), Count II (arbitrary-and-capricious claim), and Count III (notice-and-comment claim). *See* ECF No. 1 at 65–68. The Court resolved Counts I and II in Plaintiffs’ favor but expressly declined to address Count III because Plaintiffs had already achieved their desired outcome—vacatur of each of the Challenged Policies. *See Dorcas*, 2026 WL 1622708, at *36 n.30 (“The Court does not reach and need not address Plaintiffs’ notice-and-comment argument.”).

to those in a single proceeding.” *Britton v. Maloney*, 196 F.3d 24, 27 n.2 (1st Cir. 1999) (citing *Credit Francais*, 78 F.3d at 706).

The Court concludes that there is no just reason for delay in entering partial final judgment on Plaintiffs’ APA claims. First, the legal issues presented by Plaintiffs’ remaining constitutional claims differ considerably from those issues addressed by the Court in ruling on Plaintiffs’ APA claims. *See Dorcas*, 2026 WL 1622708, at *56 (“[T]he Government asks the Court to rule on several constitutional issues . . . such as whether Plaintiffs have cognizable property rights in immigration benefits . . . and whether USCIS has denied Plaintiffs equal protection of the law These are complex legal questions. Ultimately, they will have to be saved for another day.”). The Government also points out that “appellate resolution of the APA issues may obviate the need for any court to address the constitutional issues or provide guidance in resolving those issues.” ECF No. 31 at 4; *see Guerrero Orellana v. Moniz*, 813 F. Supp. 3d 185, 197 (D. Mass. 2025) (entering partial final judgment on one of plaintiff class’s claims where their “victory on this count and the issuance of a declaration in the class’s favor may well obviate the need to address the remaining counts”).

Second, the “equities and efficiencies” weigh in favor of granting the Government’s motion to ensure that USCIS is complying with the Court’s Order and not continuing to use policies that the Court has already declared to be unlawful. *See Britton*, 196 F.3d at 27 n.2. The Government seems to suggest that the entry of partial final judgment is a necessary prerequisite to render the Court’s vacatur order

effective and enforceable. *See* ECF No. 31 at 4. This argument has no basis in the law. It should almost go without saying—but the Court will say it anyway for the sake of “clarify[ing]” the Government’s “current obligations,” *see* ECF No. 31 at 2—that court orders vacating and setting aside agency policies have *immediate* effect once they are issued. *See, e.g., Am. Great Lakes Ports Ass’n v. Zukunft*, 301 F. Supp. 3d 99, 103–04 (D.D.C. 2018), *aff’d sub nom., Am. Great Lakes Ports Ass’n v. Schultz*, 962 F.3d 510 (D.C. Cir. 2020) (“When a court vacates an agency’s [policies], the vacatur restores the status quo before the invalid [policies] took effect That is, the offending [policies] [are] rendered void and of no effect and there is a reinstatement of the [policies] previously in force.” (cleaned up)); *United Steel v. Mine Safety & Health Admin.*, 925 F.3d 1279, 1287 (D.C. Cir. 2019) (explaining that the effect of vacatur was to “*automatically* resurrect[]” the previous agency standard (emphasis in original)).

In any event, the outcome here is the same: USCIS’s Challenged Policies are no longer in effect. To be perfectly clear, this means that the Challenged Policies are vacated, “set aside,” “cancel[ed],” “annul[ed],” “revoke[d],” and “void[ed].” *Corner Post, Inc. v. Bd. of Governors of the Fed. Rsrv. Sys.*, 603 U.S. 799, 829–30 (2024) (Kavanaugh, J., concurring) (quoting Black’s Law Dictionary 1612 (3d ed. 1933); Black’s Law Dictionary 1537 (4th ed. 1951); Bouvier’s Law Dictionary 1103 (W. Baldwin ed. 1926)).

Accordingly, finding there to be no just reason for delay under Rule 54(b), the Court GRANTS the Government’s request (ECF No. 31) and ENTERS partial final

judgment in favor of Plaintiffs on their APA claims. There is no excuse this time; the Government has an obligation to immediately comply with this Order. This moots Plaintiffs' Motion to Enforce, which the Court DENIES WITHOUT PREJUDICE (ECF No. 35).

It is hereby ORDERED that:

1. The Challenged Policies as a whole—the Benefits Hold Policy, the Global Asylum Hold Policy, the Comprehensive Re-Review Policy, and the Country-Specific Factors Policy—are contrary to law and arbitrary and capricious in violation of 5 U.S.C. § 706(2)(A), (C). Therefore, the Challenged Policies are vacated and set aside pursuant to 5 U.S.C. § 706(2).
2. Partial final judgment shall enter in favor of Plaintiffs and against the Government on Counts I and II of Plaintiffs' Complaint (ECF No. 1).
3. Within twenty-four (24) hours, the Government shall file a status report, advising the Court as to what specific steps it has taken to comply with the Court's Order.
4. The Court retains jurisdiction to enforce this judgment.

IT IS SO ORDERED.

s/John J. McConnell, Jr.

JOHN J. MCCONNELL, JR.
Chief Judge
United States District Court

June 11, 2026