United States Court of Appeals
For the First Circuit

No. 26-1254

AFRICAN COMMUNITIES TOGETHER; MARY DOE, on behalf of themselves and all others similarly situated; DAVID DOE, on behalf of themselves and all others similarly situated; PETER DOE, on behalf of themselves and all others similarly situated; JACOB DOE, on behalf of themselves and all others similarly situated,

Plaintiffs - Appellees,

v.

MARKWAYNE MULLIN, in the official capacity as Secretary of the Department of Homeland Security; UNITED STATES DEPARTMENT OF HOMELAND SECURITY; UNITED STATES CITIZENSHIP AND IMMIGRATION SERVICES; UNITED STATES,

Defendants - Appellants.

Before

Rikelman, Aframe, and Dunlap,
Circuit Judges.

JUDGMENT

Entered: July 29, 2026

Previously, upon the government's "Motion to Lift Abeyance and for Stay Pending Appeal, Immediate Administrative Stay, and Summary Reversal," we lifted the abeyance of this appeal and denied an administrative stay of the district court's order postponing the termination of Temporary Protected Status ("TPS") for South Sudan. Upon further briefing, we now reverse the postponement order in light of Mullin v. Doe, 609 U.S. ___, 2026 WL 1825840 (U.S. Jun. 25, 2026). Mullin held that "the TPS statute's judicial-review bar applies to all non-constitutional claims" challenging the Secretary of Homeland Security's determination with respect to the termination of a TPS designation. Id. at *7, 10. Claims of that nature were the only basis for the postponement order on appeal.

Accordingly, the government's request for summary reversal is allowed. Its additional request for a stay pending appeal is denied as moot. The matter is remanded for further proceedings in light of and consistent with Mullin. Mandate shall issue forthwith.

By the Court:

Anastasia Dubrovsky, Clerk

cc: Hon. Patti B. Saris, Robert Farrell, Clerk, United States District Court for the District of Massachusetts, Donald Campbell Lockhart, Abraham R. George, Michael L. Fitzgerald, Mark H. Lynch, Daniel Gerard Randolph, Golnaz Fakhimi, Kristin M. Oakley, Collin Poirot, Nargis Aslami, Paul Killebrew, Stephen Petkis, Abbey Rose Koenning Rutherford, Mishi Jain, Matthew Chauvin Quallen, Michael E. Cunn