

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF GEORGIA**

**JANE DOE 1, JOHN DOE 2, JOHN** )  
**DOE 3, JOHN DOE 4, JANE DOE 5,** )  
**JOHN DOE 6, JOHN DOE 7, JOHN** )  
**DOE 8, JOHN DOE 9, JANE DOE 10,** ) Civil Action No.  
**JOHN DOE 11, JANE DOE 12, JOHN** )  
**DOE 13, JOHN DOE 14, JANE DOE 15,** )  
**JANE DOE 16, JOHN DOE 17,** )  
) )  
Plaintiffs, )  
v. )  
) )  
**PAM BONDI** )  
Attorney General of the United States )  
) )  
**KRISTI NOEM,** )  
Secretary of Homeland Security )  
) )  
**TODD LYONS,** )  
Acting Director of U.S. Immigration )  
and Customs Enforcement )  
) )  
) )  
Defendants. )  
) )

## INTRODUCTION

1. Plaintiffs' SEVIS records have been abruptly and unlawfully terminated by U.S. Immigration and Customs Enforcement (ICE), stripping them of their ability to pursue their studies and maintain employment in the United States and risking their arrest, detention, and deportation.

2. The Student and Exchange Visitor Information Systems (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. SEVP terminated Plaintiffs' SEVIS record and marked Plaintiffs as "OTHER – Individual identified in criminal records check and/or has had their VISA revoked. SEVIS record has been terminated" or, "Otherwise Failing to Maintain Status" with a narrative citing deportability provisions under INA § 237(a)(1)(C)(i) [8 U.S.C. § 1227(a)(1)(C)] (failure to maintain status) and INA 237(a)(4)(C)(i) [8 U.S.C. § 1227(a)(4)(C)(i)] (foreign policy ground).

3. The termination of a SEVIS record effectively ends F-1 student status. Even when a visa is revoked, ICE is not authorized to terminate Plaintiffs' student status. The grounds cited by ICE in the SEVIS terminations do not provide legal authority to terminate Plaintiffs' SEVIS record. An F-1 visa controls a student's entry into the country, not their continued lawful presence once admitted. Plaintiffs were in full compliance with the terms of their F-1 status and had not engaged in any conduct that would warrant the termination of their status.

4. In some, but not all of these cases, the Department of State (DOS) has "revoked" the student visa. A revocation of a visa does not impact the person's

status. Rather, DHS's act of unlawfully terminating SEVIS records appears to be designed to coerce students, including each Plaintiff, into abandoning their studies and "self-deporting" despite not violating their status. If ICE believes a student is deportable, it has the authority to initiate removal proceedings and make its case in court. However, it cannot misuse SEVIS to circumvent the law, strip students of status, and drive them out of the country without process.

5. Over the past week, visa revocations and SEVIS terminations have shaken campuses across the country and Georgia, including those in the University of Georgia system and University of Georgia.<sup>1</sup> This policy targets students from all over the world. The SEVIS terminations have taken place against the backdrop of numerous demands being made of universities by the federal government and threats of cutting off billions of dollars in federal funding. ICE has created chaos as schools have attempted to understand what is happening and do their best to inform and advise students.

6. Plaintiffs do not challenge the revocation of their visas in this action.

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<sup>1</sup> See Binkley, Collin, Annie Ma, and Makiya Seminera, *Federal officials are quietly terminating the legal residency of some international college students*, Associated Press, April 4, 2025, <https://apnews.com/article/college-international-student-fl-visa-ice-trump-7a1d186c06a5fdb2f64506dcf208105a>, attached as Exhibit A.

Rather, Plaintiffs bring this action under the Administrative Procedure Act (APA), the Fifth Amendment to the U.S. Constitution, and the Declaratory Judgment Act to challenge ICE's illegal termination of their SEVIS record and seeks a Temporary Restraining Order reinstating their SEVIS registration, restoring their student status and Forms I-20 to allow them to resume their studies, and allowing Plaintiffs on Optional Practical Training (OPT) or Curricular Practical Training (CPT) to resume working under their terms of their lawful student (F-1) status.

### **JURISDICTION AND VENUE**

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

8. Venue is proper with this Court pursuant to 28 U.S.C. § 1391(e) because this is a civil action in which Defendants are employees or officers of the United States, acting in their official capacity; and because Plaintiffs Jane Doe 1, John Doe 2, John Doe 3, John Doe 4, reside in counties located within the Northern District of Georgia, all other Plaintiffs share a commonality of facts and outcome with these four Plaintiffs, and there is no real property involved in this action.

### **PARTIES**

9. Jane Doe 1 is an international student who is enrolled at Kennesaw State

University and resides in Fulton County in the State of Georgia. Jane Doe 1 seeks to proceed in this action with a pseudonym due to fear of retaliation by Defendants for asserting her rights through this lawsuit, and of harassment or blacklisting by third parties.<sup>2</sup>

10. John Doe 2 is an international student who is enrolled at the Georgia Institute of Technology and resides in DeKalb County in the State of Georgia. John Doe 2 seeks to proceed in this action with a pseudonym due to fear of retaliation by Defendants.

11. John Doe 3 is an international student who is enrolled at the Georgia Institute of Technology and resides in Fulton County in the State of Georgia. John Doe 3 seeks to proceed in this action with a pseudonym due to fear of retaliation by Defendants.

12. John Doe 4 is an international student who is currently participating in Post-Completion OPT with Emory University and resides in DeKalb County in the State of Georgia. John Doe 4 seeks to proceed in this action with a pseudonym due to fear of retaliation by Defendants.

13. Jane Doe 5 is an international student who is enrolled at The University of Georgia (“UGA”) and resides in Gwinnett County in the State of Georgia. Jane Doe

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<sup>2</sup> Each Plaintiff will separately file a motion to proceed pseudonymously.

5 seeks to proceed in this action with a pseudonym due to fear of retaliation by Defendants.

14. John Doe 6 is an international student enrolled at the University of Georgia and resides in Clarke County in the State of Georgia. John Doe 6 seeks to proceed in this action with a pseudonym due to fear of retaliation by Defendants.

15. John Doe 7 is an international student enrolled at the University of Louisiana and resides in Las Vegas, New Mexico. John Doe 7 seeks to proceed in this action with a pseudonym due to fear of retaliation by Defendants.

16. John Doe 8 is an international student who is currently participating in Post-Completion OPT with Arizona State University and resides in Melissa, Texas. John Doe 8 seeks to proceed in this action with a pseudonym due to fear of retaliation by Defendants.

17. John Doe 9 is an international student enrolled at Trine University and resides Dallas, Texas. John Doe 9 seeks to proceed in this action with a pseudonym due to fear of retaliation by Defendants.

18. Jane Doe 10 is an international student who is currently participating in Post-Completion OPT with Duke University and resides in Orlando, Florida. Jane Doe 10 seeks to proceed in this action with a pseudonym due to fear of retaliation by Defendants.

19. John Doe 11 is an international student who is currently participating in Post-Completion OPT with North Carolina State University and resides in Raleigh, North Carolina. John Doe 11 seeks to proceed in this action with a pseudonym due to fear of retaliation by Defendants.

20. Jane Doe 12 is an international student who is currently participating in Post-Completion OPT with the Georgia Institute of Technology and resides in Santa Clara, California. Jane Doe 12 seeks to proceed in this action with a pseudonym due to fear of retaliation by Defendants.

21. John Doe 13 is an international student who is currently participating in Post-Completion OPT with New England College and resides in Boston, Massachusetts. John Doe seeks to proceed in this action with a pseudonym due to fear of retaliation by Defendants.

22. John Doe 14 is an international student who is currently participating in Post-Completion OPT with Saint Louis University and resides in Saint Louis, Missouri. John Doe 14 seeks to proceed in this action with a pseudonym due to fear of retaliation by Defendants.

23. Jane Doe 15 is an international student who is currently participating in Post-Completion OPT with Western Illinois University and resides in Austin, Texas. Jane Doe 15 seeks to proceed in this action with a pseudonym due to fear of

retaliation by Defendants.

24.Jane Doe 16 is an international student who is currently enrolled at Cornell University and resides in Ithaca, New York. Jane Doe 16 seeks to proceed in this action with a pseudonym due to fear of retaliation by Defendants.

25.John Doe 17 is an international student who is currently participating in Post-Completion OPT with the New York Institute of Technology and resides in Rosedale, New York. John Doe 17 seeks to proceed in this action with a pseudonym due to fear of retaliation by Defendants.

26.Defendant Pam Bondi is the Secretary of the Attorney General of the United States and represents the United States in legal matters generally and gives advice and opinions to the President and to the heads of the executive departments of the Government when so requested.

27.Defendant Kristi Noem is the Secretary of Homeland Security and has ultimate authority over DHS. In that capacity and through her agents, Defendant Noem has broad authority over the operation and enforcement of immigration laws. Defendant Noem is sued in her official capacity.

28.Defendant Todd Lyons is the Acting Director of ICE and has authority over the operations of ICE. In that capacity and through his agents, Defendant Lyons has broad authority over the operation and enforcement of the immigration laws.



Defendant Lyons is sued in his official capacity. ICE is responsible for the termination of Plaintiffs' SEVIS records.

## **LEGAL FRAMEWORK**

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

30. Students who complete that course of study are entitled to apply for Optional Practical Training (OPT), which, if approved, allows them to remain for an additional year (and in cases of STEM degrees up to three years) working in their field of study. Some degree programs also allow active students to work in their field of study during their course of study under Curricular Practical Training (CPT).

31. The SEVIS is a centralized database maintained by the SEVP within ICE used to manage information on nonimmigrant students and exchange visitors and track their compliance with terms of their status. Under 8 C.F.R. § 214.3(g)(2),

Designated School Officials (DSOs) must report through SEVIS to SEVP when a student fails to maintain status. SEVIS termination is governed by SEVP policy and regulations. Termination of SEVIS registration can only be done on one of the outlined grounds, one of which is a student's failure to maintain status.

32.DHS regulations distinguish between two separate ways a student may become "out of status": (1) a student who "fails to maintain status," and (2) an agency-initiated "termination of status."

33.The first category, failure to maintain status, involves circumstances where a student voluntarily or inadvertently falls out of compliance with the F-1 visa requirements, for example by failing to maintain a full course of study, engaging in unauthorized employment, or other violations of their status requirements under 8 C.F.R. § 214.2(f). In addition, 8 C.F.R. §§ 214.1(e)–(g) outlines specific circumstances where certain conduct by any nonimmigrant visa holder "constitutes a failure to maintain status," such as engaging in unauthorized employment, providing false information to DHS, or being convicted of a crime of violence with a potential sentence of more than a year. No Plaintiff in this action falls within any of these subsections.

34.With respect to the crime of violence category, 8 C.F.R. § 214.1(g) sets forth that a nonimmigrant's conviction "for a crime of violence for which a sentence

of more than one year imprisonment may be imposed (regardless of whether such sentence is in fact imposed) constitutes a failure to maintain status . . .” Minor misdemeanor offenses do not meet this threshold for termination based on criminal history. No Plaintiff falls under this subsection.

35. The second category, termination of status by DHS, can occur only under the limited circumstances set forth in 8 C.F.R. § 214.1(d), which only permits DHS to terminate status when: (1) a previously granted waiver under INA § 212(d)(3) or (4) [ 8 U.S.C. § 1182(d)(3) or (4)] is revoked; (2) a private bill to confer lawful permanent residence is introduced in Congress; or (3) DHS publishes a notification in the Federal Register identifying national security, diplomatic, or public safety reasons for termination. DHS cannot otherwise unilaterally terminate nonimmigrant status.<sup>3</sup> An arrest or a traffic citation is not a basis for termination of SEVIS per DHS’s own regulations.<sup>4</sup> And, DHS has not published a Federal Register notification related to any of the students whose SEVIS registration it has terminated. No Plaintiff is covered by any of these termination subsections.

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<sup>3</sup> See *Jie Fang v. Dir. United States Immigr. & Customs Enft*, 935 F.3d 172, 185 n. 100 (3d Cir. 2019).

<sup>4</sup> U.S. Department of Homeland Security, Study in the States – SEVIS Help Hub. “Termination Reasons” (December 3, 2024), available at <https://studyinthestates.dhs.gov/sevis-help-hub/student-records/completions-and-terminations/termination-reasons>, Attached as Exhibit B.

36. Accordingly, the revocation of a visa does not constitute failure to maintain status and cannot therefore be a basis for SEVIS termination. If a visa is revoked prior to the student's arrival to the United States, then a student may not enter, and the SEVIS record is terminated. However, the SEVIS record may not be terminated because of a visa revocation after a student has been admitted into the United States, because the student is permitted to continue the authorized course of study.<sup>5</sup>

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

38. While a visa revocation *can* be charged as a ground of deportability in removal proceedings, deportability can be contested in such proceedings.<sup>8</sup> The

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<sup>5</sup> ICE Policy Guidance 1004-04 – Visa Revocations (June 7, 2010), available at [https://www.ice.gov/doclib/sevis/pdf/visa\\_revocations\\_1004\\_04.pdf](https://www.ice.gov/doclib/sevis/pdf/visa_revocations_1004_04.pdf), Attached as Exhibit C.

<sup>6</sup> *Id.*

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

<sup>8</sup> *See* 8 USC § 1227(a)(1)(B); 8 U.S.C. § 1201(i) (allowing immigration court review of visa revocation).

immigration judge may also even dismiss removal proceedings where a visa is revoked, so long as a student is able to remain in valid status.<sup>9</sup> Only when a final removal order entered would status be lost. None of these Plaintiffs have been placed in removal proceedings.

39. A student who has not violated their F-1 status, even if their visa is revoked, cannot have a SEVIS record terminated based on INA § 237(a)(1)(C)(i) [8 U.S.C. § 1227(a)(1)(C)(i)] (failure to maintain status), INA § 237(a)(4)(C)(i) [8 U.S.C. § 1227(a)(4)(C)(i)] (foreign policy grounds), or any deportability ground for that matter.

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

### **FACTUAL ALLEGATIONS**

41. Jane Doe 1, a native and citizen of Colombia, is an international student

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<sup>9</sup> 8 C.F.R. § 1003.18(d)(ii)(B).

<sup>10</sup> See *Nakka v. United States Citizenship & Immigr. Servs.*, 111 F.4th 995, 1007 (9th Cir. 2024); *Jie Fang v. Dir. United States Immigr. & Customs Enf't*, 935 F.3d 172, 183 (3d Cir. 2019).

<sup>11</sup> See *Fang*, 935 F.3d at 185.

who is enrolled at Kennesaw State University, located in Kennesaw, Georgia, where she is pursuing a bachelor's degree in finance. She is a Division I student athlete, has a 4.0 GPA, and is a member of the National Honors Society. Jane Doe 1 has maintained full-time student status and has complied with the academic requirements set by her Designated School Official (DSO) and U.S. immigration regulations. On April 1, 2025, Jane Doe 1 was notified that her SEVIS registration had been terminated. Jane Doe 1's SEVIS record marked her as "OTHER – Individual identified in criminal records check and/or has had their VISA revoked. SEVIS record has been terminated." Jane Doe 1 was informed that the school itself did not terminate their SEVIS status. Jane Doe 1 believes the revocation happened due to her arrest in Cobb County, Georgia, where she was charged with domestic violence; however, the case was dismissed on February 13, 2025, because there was no underlying proof of any crime. Jane Doe 1 has complied with all requirements under the F-1 visa regulations, and did not violate the terms of her visa. Jane Doe 1 is highly valued by her college, which desires for her to continue to be enrolled in school. However, her ability to do so is in jeopardy due to the termination of her SEVIS record and status. Since she received notice of her SEVIS termination, Jane Doe 1 has been experiencing high levels of stress and anxiety. She is unsure of what will happen to her. She also fears being labeled a national security or foreign policy

threat if she seeks to return to the United States in the future, or if she seeks to travel to another country, because of the labels attached to her SEVIS termination. *See Exhibit F, Jane Doe 1's Declaration, Identification Document, I-20, Termination, and Case Disposition.*

42. John Doe 2, a native and citizen of China, is an international student enrolled at the Georgia Institute of Technology located in Atlanta, Georgia, where he is pursuing a doctorate degree in Electrical and electronics engineering. On April 7, 2025, John Doe 2 was notified by his school's International Student and Scholar Services (ISSS) that his SEVIS registration had been terminated. The termination reason provided was "Otherwise failing to maintain status" and the explanation accompanying the reason stated, "Individual identified in criminal records check and/or has had their visa revoked." John Doe 2 believes the termination of his SEVIS registration is related to traffic citations he received in Atlanta, Georgia for driving while license withdrawn and expired license plate. The case was closed, and he had no other arrest history. In addition, these are not crimes for a person to be deported under our immigration laws. *See Exhibit G, John Doe 2's Declaration, Identification Document, I-20, Termination, and Case Disposition.*

43. John Doe 3, a native and citizen of India, is an international student enrolled at the Georgia Institute of Technology located in Atlanta, Georgia, where

he is pursuing a bachelor's degree in computer and information sciences. He is in his fourth and final year of study and will be graduating on May 2<sup>nd</sup>, 2025. John Doe 3 was set to be participating in OPT, valid to June 8, 2026. On April 9, 2025, John Doe 3 was notified via email from his Designated School Official (DSO) that his SEVIS registration had been terminated. The termination reason provided was "Other – Individual identified in criminal records check and/or has had their visa revoked." Additionally, on April 10, 2025, John Doe 3 received an email notice from the U.S. Embassy of his F-1 visa revocation under Section 221(i) of the Immigration and Nationality Act. John Doe 3 believes the termination of his SEVIS registration may have been based on an arrest that occurred on June 25, 2023, where he was charged with speeding and driving while his license was suspended or revoked. He pled nolo contendere to the speeding charge and paid off the fine, and the driving while license suspended or revoked charge was dismissed. This is not a crime for a person to be deported under our immigration laws. *See Exhibit H, John Doe 3's Declaration, Identification Document, I-20, Termination, and Case Disposition.*

44. John Doe 4, a native and citizen of China, is an international student who was enrolled at Emory University in Atlanta, Georgia. He graduated from Emory University on December 20, 2024, with a bachelor's degree in management science and is currently participating in Post-Completion OPT which expires on January 5,



2026. This training was approved and authorized by Emory and was reflected in John Doe 4's SEVIS record. On April 8, 2025, John Doe 4 was notified by his school's International Student and Scholar Services (ISSS) that his SEVIS registration had been revoked. The stated reason was "identified in criminal records check and/or visa revoked." John Doe 4 believes the revocation may have been based on a traffic-related offense that occurred in February 2025 in Atlanta, Georgia, in which he was charged with expiration and renewal of license and no tag. His case was fully resolved in court — the charge was amended, John Doe 4 entered a nolo contendere plea, and no conviction or penalty was imposed. John Doe 4 has maintained legal status and complied with every rule. Again, this is not a crime for which a nonimmigrant can be deported. *See Exhibit I, John Doe 4's Declaration, Identification Document, I-20, Termination, and Case Disposition.*

45. Jane Doe 5, a native and citizen of China, is an international student who is enrolled at The University of Georgia ("UGA"), located in Athens, Georgia, where she is pursuing a doctorate degree in Business Administration and Management. She is currently in the first year of her program and intends to graduate in May 2029. She has maintained full-time student status and has complied with the academic requirements set by her Designated School Official (DSO) and U.S. immigration regulations. On April 1, 2025, Jane Doe 5 was notified by the

UGA Immigration office that her SEVIS registration had been terminated by the Department of Homeland Security as of April 8, 2025. She believes the termination may be related to an arrest that occurred on November 2, 2024, in Gwinnett County, Georgia, where she was charged with DUI – less safe, operating unsafe vehicle, and failure to have a license on person. The DUI charge was reduced to reckless driving on March 24, 2025. Jane Doe 5 pled guilty and was sentenced to 12 months’ probation and paid all associated fines. Jane Doe 2 has complied with all requirements under the F-1 visa regulations, and did not knowingly violate the terms of her visa. This is not a crime for which a nonimmigrant can be removed. *See Exhibit J, Jane Doe 5’s Declaration, Identification Document, I-20, Termination, and Case Disposition.*

46. John Doe 6, a native and citizen of China, is an international student who is enrolled at The University of Georgia (“UGA”), located in Athens, Georgia, where he is pursuing a doctorate degree in Engineering. He was issued a Form I-20 and has been engaging in a full course of study. On April 4, 2025, he received notice from his college that his student visa was revoked and that his SEVIS status was terminated. The reason given for the termination was “OTHERWISE FAILING TO MAINTAIN STATUS – Individual identified in criminal records check and/or has had their VISA revoked.” On June 25, 2023, he was charged with speeding and

driving while license suspended or revoked to which he plead Nolo Contendere for speeding and his driving while license suspended or revoked charge was dismissed. *See Exhibit K, John Doe 6's Declaration, Identification Document, I-20, Termination, and Case Disposition.*

47. John Doe 7, a native and citizen of Mexico, is an international student who was enrolled at the University of Louisiana at Lafayette, where he completed a graduate program in May 2024 and is currently participating in Post-Completion OPT which expires May 27, 2025. On April 4, 2025, he received notice from his college that his student was revoked, and his SEVIS was terminated. The reason given for the termination was “OTHERWISE FAILING TO MAINTAIN STATUS – Individual identified in criminal records check and/or has had their VISA revoked.” He was arrested as a minor for a juvenile charge in 2007, but the case was dismissed which was disclosed to the consular officer during his F-1 interview for which his F-1 was granted thereafter. *See Exhibit L, John Doe 7's Declaration, Identification Document, I-20, Termination, and Case Disposition.*

48. John Doe 8, a native and citizen of India, is an international student who was enrolled at Arizona State University, where he completed his program in May 2024 and is currently participating in STEM OPT which expires January 29, 2026. On April 4, 2025, he received notice from his college that his student was revoked,

and his SEVIS was terminated. The reason given for the termination was “OTHERWISE FAILING TO MAINTAIN STATUS – Individual identified in criminal records check and/or has had their VISA revoked.” He currently has a pending DUI charge with no conviction. *See Exhibit M, John Doe 8’s Declaration, Identification Document, I-20, Termination, and Case Disposition.*

49. John Doe 9, a native and citizen of India, is an international student who was enrolled at Trine University, located in Phoenix, Arizona, where he was pursuing a master’s degree in information studies. He was participating in Curricular Practical Training (“CPT”) that was valid until October 21, 2025. On April 4, 2025, he received notice from his college that his student was revoked, and his SEVIS was terminated. The reason given for the termination was “Individual identified in criminal records check.” He only has a violation of failure to have vehicle liability insurance, for which the case was resolved. *See Exhibit N, John Doe 9’s Declaration, Identification Document, I-20, Termination, and Case Disposition.*

50. Jane Doe 10, a native and citizen of India, is an international student who was enrolled at University of Texas located at Dallas, Texas, where she was pursuing a master’s degree in Neuroscience. She was participating in STEM OPT which was valid through February 2027. On April 3, 2025, she received notice from her college that her student was revoked, and her SEVIS was terminated. The reason

given for the termination was “Otherwise failing to maintain status – Individual identified in criminal records check and/or had their visa revoked” under INA 221(i). identified in criminal records check.” She was previously cited for underage alcohol consumption, which was dismissed in 2019, and which was disclosed in all her visa applications for which she was approved. *See Exhibit O, Jane Doe 10’s Declaration, Identification Document, I-20, Termination, and Case Disposition.*

51. John Doe 11, a native and citizen of India, is an international student who was enrolled at North Carolina State University, where he was pursuing a Doctor of Philosophy (PhD) degree in Mechanical Engineering. He was also participating OPT that was valid until January 11, 2026. On April 4, 2025, he received notice from his college that his student was revoked, and his SEVIS was terminated. The reason given for the termination was “Individual identified in criminal records check.” He only has a violation of failure to have vehicle liability insurance for which the case was resolved. *See Exhibit P, John Doe 11’s Declaration, Identification Document, I-20, Termination, and Case Disposition.*

52. Jane Doe 12, a native and citizen of China, is an international student who was enrolled at Georgia Institute of Technology located in Atlanta, Georgia, where she obtained a bachelor’s degree in electrical and Electronics Engineering and graduated on December 12, 2024. She was participating in OPT that was valid until

February 12, 2026. On April 4, 2025, she received notice from her college that her student was revoked, and her SEVIS was terminated. The reason given for the termination was “Individual identified in criminal records check and/or has had their VISA revoked” She was never arrested nor cited for any traffic violations. *See Exhibit Q, John Doe 12’s Declaration, Identification Document, I-20, Termination, and Case Disposition.*

53. John Doe 13, a native and citizen of India, is an international student who was enrolled at New England College located in Henniker, New Hampshire and graduated in December 2022. He is participating in OPT which was valid until February 16, 2026. On April 4, 2025, he received notice from his college that his student was revoked, and his SEVIS was terminated. The reason given for the termination was “OTHERWISE FAILING TO MAINTAIN STATUS – Individual identified in criminal records check.” He was cited for speeding and identify self, MV operator refused, but the case was dismissed on March 14, 2022. *See Exhibit R, John Doe 12’s Declaration, Identification Document, I-20, Termination, and Case Disposition.*

54. John Doe 14, a native and citizen of India, is an international student who is enrolled at Saint Louis University where he is in pursuit of a master’s program in Computer and Information Sciences and set to graduate in May 2025. On April 4,

2025, he received notice from his college that his student was revoked, and his SEVIS was terminated. No specific explanation was provided to him at the time for the termination of his SEVIS record. He only has a traffic offense of driving without a license which was resolved on June 6, 2024. *See Exhibit S, John Doe 14's Declaration, Identification Document, I-20, Termination, and Case Disposition.*

55. Jane Doe 15, a native and citizen of India, is an international student who was enrolled at Western Illinois University. She was also participating in OPT that was valid until February 7, 2027. On April 4, 2025, she received an email from her Designated School Official (DSO) informing her that her SEVIS record had been terminated. No specific explanation was provided to her at the time for the termination of her SEVIS record. Jane Doe 15's DSO also stated that she had not seen any termination notice on her end initially, which added to the confusion. Jane Doe 15 unintentionally failed to bill \$35 worth of items at a store, and although she offered to pay on the spot, the police were called. The district attorney chose not to press charges, and the case was canceled before even being formally filed. She otherwise has a clean criminal record. *See Exhibit T, Jane Doe 15's Declaration, Identification Document, I-20, Termination, and Case Disposition.*

56. Jane Doe 16, a native and citizen of Japan, is an international student who is enrolled at Cornell University. On April 8, 2025, she received an email from

Cornell's International Services Office informing her that her SEVIS record had been terminated by SEVP. The stated reason was 'Otherwise failing to maintain status – Individual identified in criminal records check and/or has had their visa revoked.' She had previous law enforcement contact but was never charged, and the record was sealed. She has no criminal convictions. *See Exhibit U, Jane Doe 16's Declaration, Identification Document, I-20, Termination, and Case Disposition.*

57. John Doe 17, a native and citizen of India, is an international student who was enrolled at the New York Institute of Technology. He was also participating in OPT that was valid until July 17, 2025. On April 4, 2025, he received notice from his college that his student visa had been revoked under Section 221(i) of the Immigration and Nationality Act. He had a shoplifting charge in which the court declared he was not guilty, and the case was dismissed. *See Exhibit V, John Doe 17's Declaration, Identification Document, I-20, Termination, and Case Disposition.*

58. Plaintiffs have been experiencing high levels of stress and anxiety following their SEVIS terminations. They are unsure of what will happen to them. They also fear being labeled a national security or foreign policy threat if they seek



to return to the United States in the future, or if they seek to travel to another country, because of the labels attached to their SEVIS terminations.

59.The SEVIS terminations have created havoc and uncertainty for schools as well. Schools are scrambling to respond to these unprecedented actions and determine whether and how they can help their international students.<sup>12</sup>

60.Intervention by the Court is necessary to remedy Defendants’ illegal conduct.

**CAUSES OF ACTION**  
**FIRST CAUSE OF ACTION**  
**Administrative Procedure Act**  
*(Unauthorized SEVIS Termination)*

61.Plaintiffs incorporates the allegations in the paragraphs above as though fully set forth here.

62.Under § 706(a) of the APA, final agency action can be set aside if it is “arbitrary, capricious, an abuse of discretion, or otherwise not in accordance with law . . . in excess of statutory jurisdiction, authority, or limitations, or short of

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<sup>12</sup> See Liam Knox, *How Trump is Wreaking Havoc on the Student Visa System*, 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>, Attached as Exhibit E.

statutory right; . . . [or] without observance of procedure required by law.” 5 U.S.C. § 706(2)(A), (C)-(D).

63. Defendants have no statutory or regulatory authority to terminate Plaintiffs’ SEVIS records or status based simply on revocation of a visa. Additionally, nothing in any of the Plaintiffs’ criminal history or other history provides a basis for termination.

64. Therefore, Defendant’s termination of Plaintiffs’ SEVIS status is not in accordance with law, in excess of statutory authority, and without observance of procedure required by law.

**SECOND CAUSE OF ACTION**  
**Fifth Amendment**  
*(Procedural Due Process)*

65. Plaintiffs incorporate the allegations in the paragraphs above as though fully set forth here.

66. Procedural due process requires that the government be constrained before it acts in a way that deprives individuals of property interests protected under the Due Process Clause of the Fifth Amendment.

67. Once a student is lawfully admitted to the United States in F-1 status and complies with the regulatory requirements of that status, the continued registration of that student in SEVIS is governed by specific and mandatory regulations. Because

these regulations impose mandatory constraints on agency action and because SEVIS registration is necessary for a student to remain enrolled as an international student, Plaintiffs have a constitutionally protected property interest in their SEVIS registration. *See ASSE Int'l, Inc. v. Kerry*, 803 F.3d 1059 (9th Cir. 2015) (recognizing protected property interest in participating in exchange visitor program); *Brown v. Holder*, 763 F.3d 1141, 1148 (9th Cir. 2014) (recognizing protected property interest in nondiscretionary application for naturalization).

68. At the most elemental level, the United States Constitution requires notice and a meaningful opportunity to be heard. *See Choeum v. I.N.S.*, 129 F.3d 29, 38 (1st Cir. 1997) (“At the core of [a noncitizen’s] . . . due process rights is the right to notice and the nature of the charges and a meaningful opportunity to be heard.”); *Matthews v. Eldridge*, 424 U.S. 319, 322 (1976). No such notice or opportunity to be heard was provided here.

69. Defendants terminated Plaintiffs’ SEVIS record based on improper grounds without prior notice and without providing Plaintiffs with an opportunity to respond. The failure to provide notice of the facts that formed the basis for the SEVIS termination is a violation of due process under the Fifth Amendment.

**THIRD CAUSE OF ACTION**  
**Administrative Procedure Act**  
*(Procedural Due Process)*

70.Plaintiffs incorporate the allegations in the paragraphs above as though fully set forth here.

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

72.Defendants terminated Plaintiffs’ SEVIS record based on improper grounds without prior notice and without providing Plaintiffs with an opportunity to respond. The failure to provide notice of the facts that formed the basis for the SEVIS termination is a violation of due process under the Fifth Amendment.

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

**FOURTH CAUSE OF ACTION**  
**Administrative Procedure Act**  
*(Arbitrary and Capricious SEVIS Termination)*

74.Plaintiffs incorporate the allegations in the paragraphs above as though fully set forth here.

75.Under § 706(a) of the APA, final agency action can be set aside if it is “arbitrary, capricious, an abuse of discretion, or otherwise not in accordance with

law,” including if it fails to make a rational connection between the facts found and the decision made. 5 U.S.C. § 706(2)(A).

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

77. Defendants’ action is therefore arbitrary and capricious.

### **PRAYER FOR RELIEF**

WHEREFORE, Plaintiffs pray that this Court grant the following relief:

- (1) Assume jurisdiction over this matter;
- (2) Declare that the termination of Plaintiffs’ SEVIS registration and termination of F-1 nonimmigrant student status was unlawful;
- (3) Vacate and set aside DHS’s termination of Plaintiffs’ SEVIS registration and termination of F-1 nonimmigrant student status;
- (4) Order that Defendants restore Plaintiffs’ SEVIS registration, and F-1 nonimmigrant student status, as well as any OPT or CPT;
- (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 11, 2025

Respectfully Submitted,

/s/ Charles H. Kuck

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## **CERTIFICATE OF COMPLIANCE**

I hereby certify that the document to which this certificate is attached has been prepared with one of the font and point selections approved by the Northern District of Georgia in Local Rule 5.1 for documents prepared by computer.

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/s/ Charles H. Kuck

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## CERTIFICATE OF SERVICE

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I, Charles H. Kuck, hereby certify that on April 11, 2025, I filed the foregoing with the Clerk of Court using the CM/ECF system. Service has been made of all documents required to be served by Fed.R.Civ.P. 5(a) in a manner authorized by Fed.R.Civ.P. 5(b) and (c). I hereby certify that I have mailed a hard copy of the document to the above individual pursuant to Fed.R.Civ.P. 4 via first-class mail to:

Pamela Bondi  
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Todd Lyons  
Acting Director of U.S. Immigration and Customs Enforcement



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Respectfully submitted,

/s/ Charles H. Kuck

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF GEORGIA**

**JANE DOE 1, JOHN DOE 2, JOHN** )  
**DOE 3, JOHN DOE 4, JANE DOE 5,** )  
**JOHN DOE 6, JOHN DOE 7, JOHN** )  
**DOE 8, JOHN DOE 9, JANE DOE 10,** ) Civil Action No.  
**JOHN DOE 11, JANE DOE 12, JOHN** )  
**DOE 13, JOHN DOE 14, JANE DOE 15,** )  
**JANE DOE 16, JOHN DOE 17,** )  
) )  
Plaintiffs, )  
v. )  
) )  
**PAM BONDI** )  
Attorney General of the United States )  
) )  
**KRISTI NOEM,** )  
Secretary of Homeland Security )  
) )  
**TODD LYONS,** )  
Acting Director of U.S. Immigration )  
and Customs Enforcement )  
) )  
) )  
Defendants. )  
) )

## LIST OF EXHIBITS

Exhibit A      Binkley, Collin, Annie Ma, and Makiya Seminera,  
*Federal officials are quietly terminating the legal  
residency of some international college students*,  
Associated Press, April 4, 2025

Exhibit B	U.S. Department of Homeland Security, Study in the States – SEVIS Help Hub. “Termination Reasons” (December 3, 2024)
Exhibit C	ICE Policy Guidance 1004-04 –Visa Revocations (June 7, 2010)
Exhibit D	Guidance Directive 2016-03, 9 FAM 403.11-3 – VISA REVOCATION (Sept. 12, 2016)
Exhibit E	Liam Knox, <i>How Trump is Wreaking Havoc on the Student Visa System</i> , Inside Higher Ed, April 5, 2024
Exhibit F	Jane Doe 1’s Declaration, Identification Document, I-20, Termination, and Case Disposition.
Exhibit G	John Doe 2’s Declaration, Identification Document, I-20, Termination, and Case Disposition.
Exhibit H	John Doe 3’s Declaration, Identification Document, I-20, Termination, and Case Disposition.
Exhibit I	John Doe 4’s Declaration, Identification Document, I-20, Termination, and Case Disposition.
Exhibit J	Jane Doe 5’s Declaration, Identification Document, I-20, Termination, and Case Disposition.
Exhibit K	John Doe 6’s Declaration, Identification Document, I-20, Termination, and Case Disposition.
Exhibit L	John Doe 7’s Declaration, Identification Document, I-20, Termination, and Case Disposition.
Exhibit M	John Doe 8’s Declaration, Identification Document, I-20, Termination, and Case Disposition.

Exhibit N	John Doe 9's Declaration, Identification Document, I-20, Termination, and Case Disposition.
Exhibit O	Jane Doe 10's Declaration, Identification Document, I-20, Termination, and Case Disposition.
Exhibit P	John Doe 11's Declaration, Identification Document, I-20, Termination, and Case Disposition.
Exhibit Q	John Doe 12's Declaration, Identification Document, I-20, Termination, and Case Disposition.
Exhibit R	John Doe 12's Declaration, Identification Document, I-20, Termination, and Case Disposition.
Exhibit S	John Doe 14's Declaration, Identification Document, I-20, Termination, and Case Disposition.
Exhibit T	Jane Doe 15's Declaration, Identification Document, I-20, Termination, and Case Disposition.
Exhibit U	Jane Doe 16's Declaration, Identification Document, I-20, Termination, and Case Disposition.
Exhibit V	John Doe 17's Declaration, Identification Document, I-20, Termination, and Case Disposition.