

Center for Constitutional Rights

Discrimination, Detention, and Deportation: Immigration & Refugees

<https://ccrjustice.org/dobashi>

Policy Issue Resources

On September 4, 2019, 13 Yemeni-Americans filed suit in the Northern District of California.

Debevoise & Plimpton LLP and Van Der Hout LLP.

Hanna Dobashi, Hajer Taleb, Rashad Hizam Alamari, Yara Al Amri, Ameen Alshohatee, Fahmi Abdo Khaled Hassan, Fawwaz Ismail, Ebrahim Musleh Mohamed, Abdo Ali Mohamed, Maher Nagi Musaid, [Tufaic Mohamed Nagi](#), Nassem Omer, Mused Ali Riyashi

Dobashi v. Trump is a federal lawsuit brought by the Center for Constitutional Rights on behalf of 13 Yemeni-Americans against President Trump, as well as the State Department and the Department of Homeland Security, for the unlawful revocation of previously approved visas for their family members. It alleges that the government unlawfully, retroactively applied the Muslim Ban, or Presidential Proclamation 9645, to plaintiffs families, who already had approved visas at the time the Ban went into effect. Years later, they remain stranded and unable to reunite in the United States.

Obtaining these visa approvals was no easy task, especially with the backdrop of the war in Yemen, where the U.S. has closed its embassy. Each plaintiff filed an I-130 petition on behalf of their spouse, children, or parents, completed every step of the process, and were ultimately granted interviews at the United States Embassy in Djibouti, before the Muslim Ban went into effect. At the end of their interviews, embassy officials in Djibouti approved the visas, only to revoke that decision months later, unlawfully applying the Trump administrations Muslim Ban to previously approved visas something that the plain language of the Ban does not allow.

The plaintiffs and their families had their lives turned around, torn between the United States and Djibouti. The war in Yemen only exacerbated their crisis, as they had to face the inhuman decision of remaining stranded in Djibouti, or returning to Yemen, a war zone. Djibouti is expensive, so many of our clients have had to leave their spouses or children in Yemen or Djibouti while returning to the U.S. to support them financially separating siblings from one another, and parents from their children.

Nearly two years ago, at the U.S. Embassy in Djibouti, each family was told their visas had been granted, and were provided with written documentation stating your visa is approved, days or months before the Muslim Ban went into effect. The case alleges that U.S. Embassy officials subsequently unlawfully reversed their visa approvals, retroactively applying the ban to the plaintiffs and denying their visas. The families brought claims under the Due Process clause, the Administrative Procedure Act, and a Mandamus action seeking the court to compel embassy officials to print their approved visas.

The lawsuit raises serious concerns about the way in which government officials and agencies have implemented the Muslim Ban. As the Center for Constitutional Rights has [previously documented](#), the Ban's implementation on the ground has been inconsistent with the administrations public representations, making it impossible for individuals to avail themselves of the waiver process it is purported to provide for. Elsewhere, the Center for Constitutional Rights has challenged the [lack of transparency](#) around the Ban's implementation. *Dobashi v. Trump* goes further, exposing the extent to which U.S. officials will go, including outside of their legal authority, to deny visas where they should be granted. This case closely tracks another case, *Alobahy v. Trump*, filed in December of 2018 by the Center for Constitutional Rights and Debevoise & Plimpton, on behalf of three other Yemeni-Americans who all had also received approval notices. Shortly after filing *Alobahy*, our clients were all granted visas and have since been reunited in the United States. This lack of transparency, and illegal and inconsistent application of the Muslim Ban is only further evidence of the discriminatory animus driving the Muslim Ban, despite the Supreme Courts June 2018 decision to uphold the Ban.

Read about one of our clients and his family's ordeal in this [WNYC story](#), detailing the challenges of growing up and studying in the United States while separated from one's parent. We have also profiled another one of our clients, Tufaic Nagi, [here](#).

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