

# Center for Constitutional Rights

## Discrimination, Detention, and Deportation: Immigration & Refugees

<https://ccrjustice.org/alobahy>

### Policy Issue Resources

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Debevoise & Plimpton LLP

[Mohammed Alobahy](#), [Ahmed Mohammed](#), [Hussain Saleh](#)

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*Alobahy v. Trump* was a federal lawsuit brought by the Center for Constitutional Rights on behalf of three Yemeni-Americans all from Brooklyn, New York against President Trump, as well as the State Department and the Department of Homeland Security, for the unlawful revocation of previously approved visas to their family members. It alleged 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.

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 family member, completed every step of the process, and were ultimately granted interviews at the United States Embassy in Djibouti, well before the Muslim Ban went into effect. At the end of their interviews, embassy officials in Djibouti approved the plaintiffs 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.

All three plaintiffs, [Mohammed Alobahy](#), [Ahmed Mohammed](#), [Hussain Saleh](#), and their families had their lives turned around, torn between Brooklyn and Djibouti. The war in Yemen only exacerbated their crisis, as they were unable to return to Yemen. All were expecting that they would be together in Brooklyn imminently - within weeks of their interviews. Mohammed was separated from his wife, Amal, who was stuck in Djibouti. He hadn't seen her since they were married, in 2016. Ahmed and his four-year-old daughter Areg were in Brooklyn while his wife Aisha was alone with their infant daughter in Djibouti. Hussain had to leave his job in the U.S. to remain in Djibouti with his wife and three U.S. citizen children, unable to leave their mother, Sawsan, behind by herself. The children could not enroll in schools in Djibouti.

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, months before the Muslim Ban went into effect. The case alleged 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 raised serious concerns about the way in which government officials and agencies had implemented the Muslim Ban. As CCR [previously documented](#), the Ban's implementation on the ground had 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, CCR challenged the [lack of transparency](#) around the ban's implementation. *Alobahy v. Trump* went 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. These practices further support the discriminatory animus driving the Muslim Ban, despite the Supreme Courts June 2018 decision to uphold the Ban.

The clients were profiled in the [New York Times](#), and spoke about their experiences on [Democracy Now!](#)

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