

IN THE UNITED STATES DISTRICT COURT OF APPEALS
FOR THE SEVENTH CIRCUIT

No. 25-2124

KRISH LAL ISSERDASANI,

Appeal from the United States
District Court for the Western
District of Wisconsin

Plaintiff-Appellee,

v.

Case No. 25-cv-283-wmc

KRISTI NOEM, in her official capacity as
Secretary of Homeland Security;
DEPARTMENT OF HOMELAND SECURITY;
TODD LYONS, in his official capacity as,
Acting Director of U.S. Immigration and Customs
Enforcement

Honorable William M. Conley
Presiding

Defendants-Appellants.

DOCKETING STATEMENT

Defendants submit this docketing statement pursuant to Circuit Rule
3(c)(1) and 28(a).

I. District Court Jurisdiction

On April 14, 2025, Plaintiff Krish Lal Isserdasani brought this action
against Defendants in the Western District of Wisconsin for declaratory and
injunctive relief, challenging Defendants' termination of Isserdasani's student
record in the Student and Exchange Visitor Information System (SEVIS).¹ Dkt. 1.

¹ Hamidreza Khademi was also a named Plaintiff. Dkt. 1. On April 18, 2025, the district
court severed Khademi's claims and transferred them to the District Court for the
District of Columbia, leaving Isserdasani as the sole Plaintiff in this action. Dkt. 12.

Isserdasani asserts claims under the Administrative Procedure Act (APA), 5 U.S.C. §§ 701-02, 706; the Due Process Clause of the Fifth Amendment to the U.S. Constitution; and *U.S. ex rel. Accardi v. Shaughnessy*, 347 U.S. 260 (1954) (“*Accardi doctrine*”). *Id.*

Isserdasani filed an emergency motion for a temporary restraining order, which the district court granted at a telephonic hearing on April 15, 2025. Dkt. 4, 7. The district court held a preliminary injunction hearing on April 28, 2025. Dkt. 19.

Isserdasani invoked the district court’s jurisdiction under 28 U.S.C. § 1331 (federal question), 5 U.S.C. § 701, *et seq.* (APA); 28 U.S.C. § 1361 (Mandamus and Venue Act of 1962), and 28 U.S.C. §§ 2201, 2202 (Declaratory Judgment Act).

II. APPELLATE COURT JURISDICTION

On May 7, 2025, the district court entered an order granting a preliminary injunction enjoining Defendants from terminating Isserdasani’s SEVIS record without approval from the court, or taking any action or imposing legal consequences as a result of the decision to terminate Isserdasani’s SEVIS record. Dkt. 27. The court entered the preliminary injunction on the same date. Dkt. 28. Defendants filed a timely notice of appeal from that order and preliminary injunction on July 3, 2025. Dkt. 33.

This Court has jurisdiction over the appeal under 28 U.S.C. § 1292(a).

III. PARTIES APPEARING IN AN OFFICIAL CAPACITY

Defendant Krisi Noem, appearing in her official capacity, is the current occupant of the office of the Secretary of the U.S. Department of Homeland Security. Defendant Todd Lyons, Acting Director of the U.S. Immigration and Customs Enforcement, appearing in his official capacity, is the current occupant of the office of the Director of U.S. Immigration and Customs Enforcement.

Dated this 10th day of July, 2025.

Respectfully submitted,

CHADWICK M. ELGERSMA
Acting United States Attorney

By:

/s/ Barbara L. Oswald
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CERTIFICATE OF SERVICE

I hereby certify that on July 10, 2025, I electronically filed the foregoing with the Clerk for the United States Court of Appeals for the Seventh Circuit by using the CM/ECF System. Participants in the case who are registered CM/ECF users will be served by the CM/ECF system.

s/ Anne Gassere
ANNE GASSERE
Legal Administrative Specialist