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**UNITED STATES DISTRICT COURT**

**FOR THE EASTERN DISTRICT OF MICHIGAN**

**RONALDO XHAJA, Plaintiff,**

vs.

**UNITED STATES CITIZENSHIP AND IMMIGRATION SERVICES (USCIS),**

**PAMELA J. BONDI, Attorney General of the United States,**

**JOSEPH B. EDLOW, Director of USCIS,**

**KRISTI NOEM, Secretary of the Department of Homeland Security,**

**UNITED STATES ATTORNEY FOR THE EASTERN DISTRICT OF MICHIGAN,**

**Defendants.**

Case No.: \_\_\_\_\_

Case: 2:26-cv-10135

Assigned To : Grey, Jonathan J.C.

Referral Judge: Grand, David R.

Assign. Date : 1/14/2026


Description: CMP XHAJA v UNITED

STATES CITIZENSHIP AND

IMMIGRATION SERVICES ET AL (JP)

**PETITION FOR WRIT OF MANDAMUS**

**Introduction**

Plaintiff, Ronaldo Xhaja ("Plaintiff"), respectfully petitions this Honorable Court for a Writ of Mandamus to compel the United States Citizenship and Immigration Services (USCIS) to adjudicate his Form I-130, Petition for Alien Relative, filed on behalf of his spouse, Mensila Xhaja, under the F2A family-based immigrant visa category (Receipt Number:  which has been subjected to an unreasonable and unjustifiable delay, depriving Plaintiff of rights and protections guaranteed under federal law.


**Jurisdiction and Venue**

1. This Court has jurisdiction over this action pursuant to 28 U.S.C. § 1361, which confers original jurisdiction upon District Courts in actions to compel an officer or employee of the United States or any agency thereof to perform a duty owed to the plaintiff.

2. This Court also has jurisdiction under 28 U.S.C. § 1331, as this action arises under the laws of the United States, specifically the Immigration and Nationality Act (INA) and the Administrative Procedure Act (APA), 5 U.S.C. § 701 et seq.

3. Venue is proper in this District under 28 U.S.C. § 1391(e) because Plaintiff resides in this District and Defendants are officers or employees of the United States acting in their official capacities.

**Parties**

4. Plaintiff, Ronaldo Xhaja, resides at  and is a lawful permanent resident of the United States. Plaintiff filed Form I-130 seeking classification of his spouse, Mensila Xhaja, under the F2A immigrant visa category. The petition is designated for consular processing. The beneficiary has never been present in the United States.

5. Defendant, United States Citizenship and Immigration Services (USCIS), is an agency of the United

States government responsible for implementing and enforcing immigration laws. USCIS's headquarters is located at 5900 Capital Gateway Drive, Camp Springs, MD 20588.

6. Defendant, Pamela J. Bondi, is the Attorney General of the United States, with an official address at the U.S. Department of Justice, 950 Pennsylvania Ave NW, Washington, DC 20530. She is sued in her official capacity.

7. Defendant, Joseph B. Edlow, is the Director of USCIS, tasked with supervising the agency's administration of immigration applications and petitions. He is sued in his official capacity. His official address is USCIS Office of the Chief Counsel, 5900 Capital Gateway Drive, Camp Springs, MD 20588.

8. Defendant, Kristi Noem, is the Secretary of the Department of Homeland Security (DHS), the parent agency of USCIS. She is sued in her official capacity. Her official address is 2707 Martin Luther King Jr. Ave SE, Washington, DC 20528.

9. Defendant, United States Attorney for the Eastern District of Michigan, represents the federal government's interests within this jurisdiction and is sued in his official capacity.

### **Factual Background**

10. Plaintiff filed a Form I-130 Petition for Alien Relative (Receipt Number: [REDACTED]) on behalf of his spouse, Mensila Xhaja, under the F2A family-based immigrant visa category, for consular processing abroad.

11. The beneficiary has never entered the United States and has not applied for adjustment of status or any immigration benefit from within the United States.

12. Despite completing all prerequisites for adjudication, Plaintiff's petition remains pending, with no decision rendered as of the date of this filing, constituting an unreasonable delay under the APA and relevant immigration laws.

13. Plaintiff has diligently sought updates regarding the status of his case by contacting USCIS multiple times, including inquiries and congressional assistance, without resolution.

14. The prolonged delay has caused significant emotional distress, prolonged family separation, and financial hardship for Plaintiff and his family.

15. USCIS's delay is inconsistent with its published processing times for similar petitions and is arbitrary, capricious, and contrary to law.

16. The delay also violates USCIS's statutory obligation under 8 U.S.C. § 1571(b), which establishes a congressional mandate to process immigration benefits within a reasonable time.

### **Legal Argument**

17. Plaintiff has a clear and indisputable right to the relief requested. Under 5 U.S.C. § 706(1), the APA authorizes courts to compel agency action unlawfully withheld or unreasonably delayed.


18. Defendants owe Plaintiff a nondiscretionary duty to process and adjudicate his petition within a reasonable time, as mandated by the INA, APA, and relevant regulations.

19. Plaintiff has exhausted all available administrative remedies, including repeated inquiries to USCIS and requests for assistance from elected representatives.

20. The Court's intervention is necessary to redress this inaction and ensure compliance with statutory and regulatory duties. Further delay risks irreparable harm in the form of continued family separation and financial hardship.

### Relief Sought


21. Plaintiff respectfully requests that this Honorable Court:

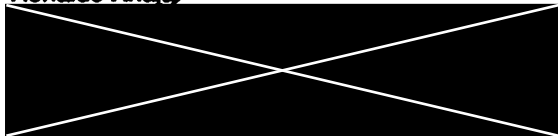
- Issue a writ of mandamus compelling Defendants to adjudicate Plaintiff's Form I-130 Petition for Alien Relative (Receipt Number: ) without further delay;
- Award Plaintiff reasonable costs and attorney's fees pursuant to the Equal Access to Justice Act, 28 U.S.C. § 2412; and
- Grant such other and further relief as the Court deems just and proper.

### Conclusion

Plaintiff respectfully requests that this Court grant the relief sought and compel Defendants to promptly adjudicate the petition, ensuring compliance with statutory mandates and protections.

Respectfully submitted,

  
\_\_\_\_\_  
Ronaldo Xheja



Date: 01/14/2026.

**CIVIL COVER SHEET (JS-44)**

**Basis of Jurisdiction:** Federal Question (28 U.S.C. § 1331)

**Nature of Suit:** 463 – Immigration – Mandamus / APA

**Cause of Action:** 28 U.S.C. § 1361; 5 U.S.C. § 706(1)

**Plaintiff:** Ronaldo Xhaja

**Defendants:** USCIS, DHS, Attorney General of the United States, USCIS Director, United States Attorney for the Eastern District of Michigan

**County of Residence:** Oakland County, Michigan

**Requested Relief:** Writ of Mandamus compelling adjudication of Form I-130 Petition

### CERTIFICATE OF SERVICE

I hereby certify that on the date listed below, I caused a true and correct copy of the Petition for Writ of Mandamus to be served upon all Defendants by certified U.S. mail, return receipt requested, in accordance with Rule 4(i) of the Federal Rules of Civil Procedure, at the following addresses:

United States Citizenship and Immigration Services (USCIS)  
5900 Capital Gateway Drive  
Camp Springs, MD 20588

U.S. Department of Justice  
950 Pennsylvania Ave NW  
Washington, DC 20530

Department of Homeland Security  
2707 Martin Luther King Jr. Ave SE  
Washington, DC 20528

United States Attorney for the Eastern District of Michigan  
211 W. Fort Street, Suite 2001  
Detroit, MI 48226

  
\_\_\_\_\_  
Ronaldo Xhaja



Date: 01/14/2026