

The Supreme Court Update - December 10, 2024

by Ian Blodger, Jessica M. Leano, and Brock Huebner

The Supreme Court of the United States issued one decision today:

Bouarfa v. Mayorkas, No. 23-583: This case addresses the availability of federal court jurisdiction to review the Secretary of Homeland Security's ("Secretary") revocation of immigration visa petitions based on "good and sufficient cause." In this case, Amina Bouarfa's previously approved visa for her noncitizen spouse was revoked based on evidence suggesting that her husband previously entered into a marriage for the purpose of evading immigration laws in violation of the "sham marriage" bar in 8 U.S.C. § 1154(c). The revocation was done pursuant to the Secretary's authority in 8 U.S.C. § 1155 to revoke approvals "for good and sufficient cause." Bouarfa's federal lawsuit challenging the revocation was dismissed under 8 U.S.C. § 1252(a)(2)(B), which prevents federal courts from reviewing certain actions "in the discretion of" an agency. Today, in a unanimous decision authored by Justice Jackson, the Court affirmed the dismissal and held that the text and context governing the Secretary's actions under § 1155 represent "a quintessential grant of discretion to the Secretary" and are thus within the purview of § 1252(a)(2)(B)(ii).

View the Court's [decision](#).

Related People

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