

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA**

AMICA CENTER FOR IMMIGRANT  
RIGHTS *et al.*,

*Plaintiffs,*

v.

EXECUTIVE OFFICE FOR IMMIGRATION  
REVIEW *et al.*,

*Defendants.*

Case No.

**PLAINTIFFS' EMERGENCY MOTION FOR STAY UNDER 5 U.S.C. § 705**

Plaintiffs Amica Center for Immigrant Rights, Brooklyn Defender Services, Florence Immigrant and Refugee Rights Project, HIAS, and National Immigrant Justice Center respectfully move for a stay under section 705 of the Administrative Procedure Act, 5 U.S.C. § 705. For the reasons presented in the accompanying memorandum in support of this motion, Plaintiffs respectfully request that the Court enter an order staying the March 9, 2026, effective date of the interim final rule, entitled "Appellate Procedures for the Board of Immigration Appeals," 91 Fed. Reg. 5,267 (Feb. 6, 2026), that will replace longstanding appellate procedures in immigration courts with a system that sharply limits access to review, accelerates adjudication timelines, and constrains the ability of noncitizens to meaningfully present their claims, and thereby effectively eliminates appellate review of immigration judge decisions through the administrative process Congress established in the Immigration and Nationality Act. The relief that Plaintiffs seek is detailed in the memorandum, accompanying exhibits, and proposed order.

Because the IFR will otherwise take effect on March 9, 2026, Plaintiffs respectfully request a ruling by that date. Plaintiffs also request a hearing on this motion during the week of March 2–6 if the Court believes oral argument would aid it in reaching its decision by that date.

Dated: February 26, 2026

Respectfully submitted,

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\* Application for admission to D.D.C.  
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*hac vice* forthcoming

/s/ Erez Reuveni  
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**CERTIFICATE OF COMPLIANCE**

I, Erez Reuveni, hereby certify that on February 26, 2026, consistent with Local Rule 7(m) conferred with counsel for Defendants, Papu Sandhu, to determine whether there was any opposition to the relief sought and, if there was, to narrow the areas of disagreement. Mr. Sandhu indicated the government opposes the governments motion for a stay of agency action under 5 U.S.C. § 705, and that the government would not agree to postpone the effective date of the Rule challenged in this case at least until such time as the Court may rule on the pending motion.

*/s/ Erez Reuveni*  
Erez Reuveni

**CERTIFICATE OF SERVICE**

I, Erez Reuveni, hereby certify that on February 26, 2026, I electronically filed the foregoing document with the Clerk of the Court for the United States District Court for the District of Columbia by using the CM/ECF system. Counsel in the case are registered CM/ECF users and service will be accomplished by the CM/ECF system. I also served copies of this filing on counsel for Defendants, Papu Sandhu, via email.

*/s/ Erez Reuveni*  
Erez Reuveni