United States Court of Appeals
For the First Circuit

No. 23-1150

CYRIL NNADOZIE OKOLI,

Plaintiff - Appellant,

v.

SHANITA R. TUCKER; U.S. CITIZENSHIP AND IMMIGRATION SERVICES,

Defendants - Appellees.

Before

Barron, Chief Judge,
Kayatta and Rikelman, Circuit Judges.

JUDGMENT

Entered: July 9, 2024

Pro se plaintiff-appellant Cyril Nnadozie Okoli appeals from the district court's dismissal of his complaint featuring various constitutional and other claims related to proceedings before government bodies charged with administering and enforcing immigration-related laws. Okoli also has filed a "motion for preliminary injunction," as well as a "motion for expedited consideration."

After careful de novo review of the record and of the parties' submissions, including each and every one of the points set out in Okoli's counseled and pro se briefs, we affirm the district court's dismissal of the underlying action, substantially for the reasons set forth by the district court in its February 10, 2023, memorandum and order. See Cardigan Mountain Sch. v. New Hampshire Ins. Co., 787 F.3d 82, 84 (1st Cir. 2015) (dismissals for failure to state a claim afforded de novo review); Am. C.L. Union of Massachusetts v. U.S. Conf. of Cath. Bishops, 705 F.3d 44, 52 (1st Cir. 2013) (mootness determinations generally afforded de novo review).

To the extent Okoli addresses at all the district court's specific reasoning for dismissing his various claims, he fails to develop any precedent-based argument legitimately suggesting error. See Ashcroft v. Iqbal, 556 U.S. 662, 678 (2009) (explaining that, in order to state a claim to relief that is plausible on its face, a complaint must include "factual content that allows the court to draw the reasonable inference that the defendant is liable for the misconduct alleged" and that

"[t]hreadbare recitals of the elements of a cause of action, supported by mere conclusory statements, do not suffice"); Freeman v. Town of Hudson, 714 F.3d 29, 35 (1st Cir. 2013) (reviewing court is "free to affirm an order of dismissal on any basis made apparent from the record"); see also Sparkle Hill, Inc. v. Interstate Mat Corp., 788 F.3d 25, 30 (1st Cir. 2015) (this court "do[es] not consider arguments for reversing a decision of a district court when the argument is not raised in a party's opening brief"); United States v. Zannino, 895 F.2d 1, 17 (1st Cir. 1990) (arguments raised in only a perfunctory and undeveloped manner are deemed waived on appeal).

All pending motions, to the extent not mooted by the foregoing, are denied.

Affirmed. See 1st Cir. R. 27.0(c).

By the Court:

Maria R. Hamilton, Clerk

cc:
Cyril Nnadozie Okoli
Donald Campbell Lockhart
Mark Sauter
Vaughn De La Vega Spencer

United States Court of Appeals
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No. 23-1150

CYRIL NNADOZIE OKOLI,

Plaintiff - Appellant,

v.

SHANITA R. TUCKER; U.S. CITIZENSHIP AND IMMIGRATION SERVICES,

Defendants - Appellees.

Before

Barron, Chief Judge,
Kayatta, Gelpí, Montecalvo,
Rikelman and Aframe, Circuit Judges.

ORDER OF COURT

Entered: August 22, 2024

The petition for rehearing having been denied by the panel of judges who decided the case, and the petition for rehearing en banc having been submitted to the active judges of this court and a majority of the judges not having voted that the case be heard en banc, it is ordered that the petition for rehearing and petition for rehearing en banc be **denied**.

By the Court:

Maria R. Hamilton, Clerk

cc:
Cyril Nnadozie Okoli
Donald Campbell Lockhart
Mark Sauter
Vaughn De La Vega Spencer

United States District Court
District of Massachusetts

Cyril Nnadozie Okoli, Plaintiff, v. Shanita R. Tucker and U.S. Citizenship and Immigration Services, Defendants.	)	Civil Action No. 22-10316-NMG

MEMORANDUM & ORDER

This action arises out of the latest of several attempts by pro se plaintiff Cyril Nnadozie Okoli to obtain lawful permanent residence status in the United States. Pending before the Court is the motion of defendants the United States Citizenship & Immigration Services ("USCIS") and Shanita R. Tucker ("Tucker"), the Field Office Director of USCIS's Lawrence, Massachusetts office (collectively, "defendants") to dismiss for lack of jurisdiction and failure to state a claim. For the following reasons, the motion to dismiss will be allowed.

Also pending before the Court are three motions filed by plaintiff: 1) for reconsideration of the Court's prior order denying a preliminary injunction and temporary restraining order, 2) to strike defendants' motion to dismiss and 3) for

attorneys' fees. For the reasons that follow, those motions will be denied.

I. Background

A. Immigration History

Okoli was born in Nigeria in 1985. He entered the United States in August, 2011 as a non-immigrant F-1 student. Six months later, in February, 2012, his F-1 student status was terminated for non-payment of studies.

1. The 2012 I-130 Petition

In June, 2012, plaintiff married his first wife, Aisha Tanae Nelson ("Nelson"). Nelson filed an I-130 petition on plaintiff's behalf in October, 2012. Plaintiff and Nelson were interviewed separately by immigration officials in January, 2013. USCIS denied Nelson's I-130 petition in June, 2013, finding that she had not met her burden of proof then she shared a bona fide marriage with Okoli. Plaintiff alleges that the petition was denied due to discrepancies in their testimonies.

Nelson appealed the I-130 denial to the Board of Immigration Appeals ("BIA"). After conducting a de novo review, the BIA dismissed the appeal in August, 2014. Okoli petitioned the First Circuit Court of Appeals ("the First Circuit") to review the BIA's dismissal in 2020. In March, 2020, the First Circuit allowed the government's motion to dismiss for lack of

jurisdiction because plaintiff had not appealed a final order of removal. See Okoli v. Garland, No. 20-1105 (1st Cir. 2020).

2. The 2014 I-130 Petition

In December, 2014, Nelson filed a second I-130 petition on Okoli's behalf. She and Okoli were again interviewed separately by immigration officials in September, 2015. Plaintiff contends that during the interview of Nelson, she was coerced to withdraw the I-130 petition because a USCIS official threated to inform the Department of Transitional Assistance ("DTA") about her change in marital status, which would impact her eligibility for food stamps, MassHealth insurance and other benefits.

Nelson withdrew her I-130 petition in a handwritten letter explaining that she and plaintiff were not in a bona fide relationship and they were married only so plaintiff could remain in the United States for employment. USCIS acknowledged the petition withdrawal in October, 2015.

3. The 2016 I-130 Petition

In April, 2016, Nelson filed a third I-130 petition on plaintiff's behalf. She and plaintiff were divorced in November, 2016 and USCIS denied the petition. Okoli suggests that the divorce occurred only because USCIS notified the DTA about Nelson's change of income and her welfare benefits were "substantially reduced."

4. The 2017 I-130 Petition

Plaintiff married his current wife, Stephanie Pelusa ("Pelusa"), in May, 2017. She filed an I-130 petition on Okoli's behalf in August, 2017. They were interviewed separately in August, 2018. Three months later, USCIS sent Pelusa a Notice of Intent to Deny, informing her that it was her burden to produce evidence that plaintiff's prior marriage to Nelson was not entered into for the primary purpose of evading immigration law.

Plaintiff contends that Pelusa submitted additional evidence but the I-130 petition was denied in December, 2018. USCIS also denied Okoli's Adjustment of Status Application because he was ineligible to adjust his status without an approved I-130.

Okoli avers that Pelusa appealed the denial of her I-130 petition in January, 2019, but that USCIS lost the Notice of Appeal. Plaintiff and his wife have been in contact with USCIS regarding the status of the appeal, and in April, 2022, the BIA dismissed Pelusa's appeal. The BIA noted that Pelusa may file a new I-130 petition on Okoli's behalf at any time.

5. Removal Proceedings

The Department of Homeland Security served Okoli with a Notice to Appear in August, 2019 to institute removal

proceedings. He was then ordered removed by an immigration judge in November, 2019.

Okoli appealed his removal order to the BIA but that appeal was dismissed in June, 2020. Okoli then filed a petition for review before the First Circuit to challenge his removal order. See Okoli v. Garland, No. 20-1601 (1st Cir. 2021). That Court denied the petition for review in February, 2021, and Okoli was deported from the United States to Nigeria.

B. Procedural History

In March, 2021, plaintiff filed a writ of mandamus with this Court. Five months later, USCIS moved to dismiss plaintiff's complaint for insufficient service of process. This Court allowed the motion to dismiss without prejudice and permitted Okoli to recommence the action by filing a new complaint within 30 days.

Two weeks later, in February, 2022, plaintiff filed the present action against USCIS and Tucker. He moved for a preliminary injunction in March, 2022 and a temporary restraining order in April, 2022, both of which were denied in June, 2022. Plaintiff immediately moved for reconsideration of that denial.

Defendants moved to dismiss Okoli's complaint in October, 2022. In response, plaintiff moved to strike the motion to

dismiss and filed an opposition brief. He also moved for attorneys' fees pursuant to the Equal Access to Justice Act ("EAJA").

II. Motion for Reconsideration

As an initial matter, Okoli has moved for reconsideration of the Court's prior ruling denying his motion for a preliminary injunction and temporary restraining order. While the Court has "substantial discretion and broad authority to grant or deny" a motion for reconsideration, Ruiz Rivera v. Pfizer Pharm., LLC, 521 F.3d 76, 81-82 (1st Cir. 2008), such a motion generally should be allowed only if the movant demonstrates 1) an intervening change in the law, 2) the discovery of new evidence or 3) a manifest error of law, Lyons v. Fed. Nat'l Mortg. Ass'n, No. 18-10365-ADB, 2019 WL 1961072, at *2 (D. Mass. May 1, 2019). Mere disagreement with a judicial decision is not an adequate basis for reconsideration. Ofori v. Ruby Tuesday, Inc., 205 F. App'x 851, 852-53 (1st Cir. 2006). Because Okoli offers no persuasive argument in favor of reconsideration, his motion will be denied.

III. Motion to Dismiss

A. Legal Standard

To survive a motion to dismiss for lack of subject matter jurisdiction under Fed. R. Civ. P. 12(b)(1), the plaintiff bears

the burden of establishing that the Court has jurisdiction. Lujan v. Defs. of Wildlife, 504 U.S. 555, 561 (1992). If the defendant mounts a "sufficiency challenge," the court will assess the sufficiency of the plaintiff's jurisdictional allegations by construing the complaint liberally, treating all well-pled facts as true and drawing all reasonable inferences in the plaintiff's favor. Valentin v. Hosp. Bella Vista, 254 F.3d 358, 363 (1st Cir. 2001).

If, however, the defendant advances a "factual challenge" by controverting the accuracy, rather than the sufficiency, of the alleged jurisdictional facts, "the plaintiff's jurisdictional averments are entitled to no presumptive weight" and the court will consider the allegations by both parties and resolve the factual disputes. Id. The court has "broad authority" in conducting the inquiry and can, in its discretion, consider extrinsic evidence in determining its own jurisdiction. Id. at 363-64.

To survive a motion to dismiss pursuant to Fed. R. Civ. P. 12(b)(6), the subject pleading must state a claim for relief that is actionable as a matter of law and "plausible on its face." Ashcroft v. Iqbal, 556 U.S. 662, 678 (2009) (quoting Bell Atl. Corp. v. Twombly, 550 U.S. 544, 570 (2007)). A claim is facially plausible if, after accepting as true all non-

conclusory factual allegations, the "court [can] draw the reasonable inference that the defendant is liable for the misconduct alleged." Ocasio-Hernandez v. Fortuno-Burset, 640 F.3d 1, 12 (1st Cir. 2011) (quoting Iqbal, 556 U.S. at 678).

When rendering that determination, a court may not look beyond the facts alleged in the complaint, documents incorporated by reference therein and facts susceptible to judicial notice. Haley v. City of Boston, 657 F.3d 39, 46 (1st Cir. 2011). A court also may not disregard properly pled factual allegations even if "actual proof of those facts is improbable." Ocasio-Hernandez, 640 F.3d at 12 (quoting Twombly, 550 U.S. at 556). Rather, the necessary "inquiry focuses on the reasonableness of the inference of liability that the plaintiff is asking the court to draw." Id. at 13. The assessment is holistic:

> the complaint should be read as a whole, not parsed piece by piece to determine whether each allegation, in isolation, is plausible.

Hernandez-Cuevas v. Taylor, 723 F.3d 91, 103 (1st Cir. 2013) (quoting Ocasio-Hernandez, 640 F.3d at 14).

B. Defendants' Arguments

Defendants present five arguments in support of their motion to dismiss. First, they assert that Okoli's contentions that USCIS refused to "accept and adjudicate" the I-130 petition

and Adjustment of Status Application and the BIA refused to accept and adjudicate the Notice of Appeal are moot because both USCIS and the BIA have in fact accepted and adjudicated those documents.

Next, defendants claim that Okoli is not entitled to mandamus relief from this Court. Third, defendants contend that plaintiff lacks standing to challenge USCIS's denials of the petitions of his former and current spouses. Fourth, the government argues that this Court is without subject matter jurisdiction to consider plaintiffs' challenge to USCIS's denial of his Adjustment of Status Application. Finally, defendants submit that Okoli fails to state a viable claim as to the alleged constitutional violations.

Plaintiff disputes the government's five arguments generally in a motion to strike defendants' motion to dismiss and his opposition brief to the motion to dismiss.

Defendants' motion to dismiss will be allowed and Okoli's motion to strike will be denied because 1) his claims that USCIS and the BIA refused to accept and adjudicate his documents in Counts IV through VII are moot, 2) the Court lacks subject matter jurisdiction to review USCIS's denial of the Adjustment of Status Application and to grant the mandamus relief sought by plaintiff, 3) plaintiff lacks standing to challenge the denial

of the I-130 petitions as set forth in Counts II and III and 4) plaintiff fails to state a claim as to defendants' alleged constitutional violations recited in Counts I and VII through IX.

C. Application

1. Mootness

As an initial matter, to the extent that Counts IV through VII complain that USCIS and the BIA failed to accept and adjudicate Okoli's petitions and application, they will be dismissed as moot. Plaintiff avers that USCIS refused to accept and adjudicate the I-130 petition filed by his current wife, Pelusa, as well as his Adjustment of Status Application. According to plaintiff's complaint, however, USCIS denied Pelusa's I-130 petition on December 14, 2018. Furthermore, USCIS denied plaintiff's Adjustment of Status Application four days later.

Okoli also submits that the BIA refused to accept and adjudicate Pelusa's Notice of Appeal. The BIA dismissed the appeal on April 21, 2022. Because the claims which are the subject matter of those pleadings have been adjudicated, this Court can provide no further relief and they are dismissed as moot.

2. Subject matter jurisdiction

Defendants allege that this Court lacks subject matter jurisdiction to review Okoli's challenges to USCIS's denial of his Adjustment of Status Application. The Court agrees. Adjustment of Status, addressed by 8 U.S.C. § 1255, is a form of discretionary relief and federal courts are without jurisdiction to review such decisions:

> [N]o court shall have jurisdiction to review any judgment regarding the granting of relief under section . . . 1255 of this title.

8 U.S.C. § 1252(a)(2)(B)(i) ("Denials of discretionary relief").

In Counts IV and V, plaintiff challenges USCIS's "refusal to grant [him] lawful permanent resident status." Because adjustment in status is covered by § 1255, this Court does not have jurisdiction to review USCIS's decision to deny Okoli's Adjustment in Status Application. See Moreno v. Garland, 51 F.4th 40, 44 (1st Cir. 2022) ("As a general principle, this court lacks jurisdiction to review the BIA's discretionary denial of Petitioner's application for adjustment of his immigration status."); Patel v. Garland, 142 S. Ct. 1614, 1627 (2022).

Accordingly, Okoli's challenges to USCIS's denial of his Adjustment of Status Application in Counts VI and V will be dismissed.

Moreover, this Court lacks the requisite subject matter jurisdiction to grant plaintiff's requested mandamus relief. Okoli asks this Court to grant him immediate lawful permanent resident status and to order his parole to the United States for the pendency of this action. Not only does plaintiff fail to make the "extraordinary showing" required to receive mandamus relief, see In re Tsarnaev, 775 F.3d 457, 457 (1st Cir. 2015), but federal district courts are without jurisdiction to review removal orders in immigration cases. See 8 U.S.C. § 1252(a)(5) ("[A] petition for review filed with an appropriate court of appeals in accordance with this section shall be the sole and exclusive means for judicial review of an order of removal . . . ."). Because Okoli's current order of removal would need to be re-adjudicated in order to allow him legal permanent resident status, this Court lacks subject matter jurisdiction to grant his requested relief.

3. Standing

The government contends that plaintiff lacks standing to challenge USCIS's denials of the I-130 petitions filed by his prior and current spouses. In Counts II and III, Okoli avers that USCIS's denials were "arbitrary, capricious, and an abuse of discretion" in violation of the Administrative Procedures Act.

Plaintiff is the beneficiary of the I-130 petitions, not the affected party. 8 C.F.R. § 103.3(a)(1)(iii)(B) ("[A]ffected party . . . means the person or entity with legal standing in a proceeding. It does not include the beneficiary of a visa petition."). The affected party is the individual that submitted the I-130 petitions. Id. Here, Okoli's ex-wife and current wife filed the I-130 petitions. Because Okoli is the sole plaintiff in this case, and the "affected" parties (his ex-wife and his current wife) are not parties to this proceeding, he does not have standing to challenge the subject denials. See Echevarria v. Keisler, 505 F.3d 16, 20 (1st Cir. 2007) (citing 8 C.F.R. § 103.3(a)(1)(iii)(B) in support of its finding that only "the [I-130] visa applicant had standing to challenge the denial," not the petition beneficiary).

Thus, Okoli's challenges to the denials by USCIS of the I-130 petitions in Counts II and III will be dismissed.

4. Constitutional claims

Finally, defendants move to dismiss plaintiff's constitutional claims pursuant to Fed. R. Civ. P. 12(b)(6), on the grounds that he fails to state violations of the Equal Protection Clause or the Due Process Clause.

a. Equal Protection Clause

In Count I, Okoli contends that the USCIS officials who interviewed him used "coercive interview tactics" and "willful[ly] misrepresent[ed] the overwhelming commingling evidence" in a manner that exhibited racial and ethnic animosity in violation of the Equal Protection Clause. The government, citing Iqbal, 556 U.S. at 676-78, argues that those allegations are merely conclusory statements that fail to identify the offending USCIS official, the interview, or the racially or ethnically inappropriate statements.

In his opposition brief, pro se plaintiff explains that the substance of his equal protection claim arises from a USCIS official's conduct during an interview with his former wife on September 17, 2015. Okoli alleges that the official

> subjected [his] former wife to an unconstitutional requirements [sic] based on her race (Black) and ethnicity (African American) during the interview.

As the First Circuit has explained, to bring an equal protection claim, plaintiff must

> allege facts indicating that, compared with others similarly situated, he was selectively treated based on an impermissible consideration (in this case, race).

Alston v. Spiegel, 988 F.3d 564, 575 (1st Cir. 2021). Okoli's allegations do not demonstrate that he was treated differently

than those similarly situated based on the race or ethnicity of his former wife. Rather, USCIS's denials of his I-130 petitions were based on the inability of plaintiff and his ex-spouse to demonstrate that their marriage was entered into in good faith, a standard that applies to all I-130 petitions. See Kandamar v. Gonzales, 464 F.3d 65, 74 (1st Cir. 2006) ("It is worth emphasizing that the decision to remove Petitioner was based on the fact that he had overstayed his visa, not based on his national origin.").

b. Due Process Clause

Next, Okoli claims due process violations in Counts VII through IX. Reading the pro se complaint liberally, plaintiff first contends that USCIS's refusal to grant him lawful permanent resident status violates his "due process rights under the Fifth Amendment." To bring a due process claim, a cognizable liberty or protected interest must be at stake. Mathews v. Eldridge, 424 U.S. 319, 334-35 (1976). Adjustment of status, however, is a discretionary form of relief and thus the First Circuit has held that it "does not rise to the level of such a protected interest." Rivera v. Sessions, 903 F.3d 147, 151 (1st Cir. 2018) (quoting DaCosta v. Gonzales, 449 F.3d 45, 50 (1st Cir. 2006)). Therefore, Okoli's due process claim based

upon USCIS's denial of his Adjustment of Status Application fails.

Plaintiff next alleges procedural and substantive due process violations because his rights to marriage and a familial relationship have purportedly been denied and infringed upon. Although plaintiff describes his protected liberty interest as "freedom from wrongful incarceration" in his complaint, he is not currently detained but rather removed from the United States.

Moreover, although there is a fundamental constitutional right to marry, see Loving v. Virginia, 388 U.S. 1, 12 (1967), "these rights are not violated when a spouse is removed or denied entry into the United States." Tahmooresi v. Blinken, No. 21-CV-11383-AK, 2022 WL 4366258, at *4 (D. Mass. Sept. 21, 2022) (quoting Carter v. Dep't of Homeland Security, No. 1:21-cv-422-RCL, 2021 WL 6062655 (D.D.C. Dec. 22, 2021)). Thus, Okoli's removal from the country and resulting separation from his current wife is not a due process violation. See id. ("[N]o court has held that a substantive due process right is violated where a married couple is separated by a consular officer's decision to exclude one spouse from the United States.").

Accordingly, Okoli's constitutional claims in Counts I and VII through IX will be dismissed.

IV. Motion for Attorneys' Fees

A. Legal Standard

Under the fee-shifting provision of the Equal Access to Justice Act ("EAJA"), unless another statute specifically provides otherwise,

> a court shall award to a prevailing party other than the United States fees and other expenses . . . incurred by that party in any civil action (other than cases sounding in tort) . . . brought by or against the United States in any court having jurisdiction of that action, unless the court finds that the position of the United States was substantially justified or that special circumstances make an award unjust.

28 U.S.C. § 2412(d)(1)(A).

A "prevailing party" is a party who has been awarded relief by the court. The party must show

> (1) a material alteration of the legal relationship of the parties and (2) a judicial imprimatur on the change.

Castaneda-Castillo v. Holder, 723 F.3d 48, 57 (1st Cir. 2013) (internal quotation marks omitted). A claimant who does not obtain a judgment in its favor or a settlement is not a prevailing party. Id. Moreover, a party's "mere success in accomplishing its objections" is insufficient to render it a prevailing party. Id. (citing Buckhannon Bd. & Care Home, Inc. v. W. Virginia Dep't of Health & Hum. Res., 532 U.S. 598, 606 (2001)).

B. Application

Plaintiff asserts he is entitled under the EAJA to $66,619 in attorneys' fees incurred during his lawsuit against the government defendants.

As a threshold matter, Okoli contends that he is the prevailing party because he has prevailed on the "significant issue" that was the "failure of [USCIS] to submit [his] current wife's Notice of Appeal to the B[IA]." Plaintiff explains that by bringing this lawsuit, he has

> caused the actions of [USCIS] to be taken and resulted in the complete satisfaction of [his] claim in this Court. On April 21, 2022, the B[IA] issued decision.

Defendants respond that plaintiff is not the prevailing party within the meaning of the statue for several reasons. First, plaintiff appears to assert a "catalyst theory," suggesting that his filing of the present lawsuit was the impetus for USCIS to submit his Notice of Appeal to the BIA. The Supreme Court rejected the catalyst theory in Buckhannon Bd. & Care Home, Inc., 532 U.S. at 610, holding that

> the catalyst theory is not a permissible basis for the award of attorneys' fees.

Furthermore, defendants aver that plaintiff is wrong to suggest that his lawsuit encouraged USCIS to submit his Notice of Appeal

to the BIA because USCIS did so on July 6, 2021, approximately seven months before plaintiff filed the pending legal action.

Moreover, as defendants correctly note, plaintiff has not yet been awarded any affirmative relief by this Court that would constitute a material alteration in the legal relationship of the parties. See Castaneda-Castillo, 723 F.3d at 57. A party must be "awarded some relief by the Court" to be considered a prevailing party. See id. This Court has not ordered any relief on the merits of Okoli's claims and as a result, there has been no judicially-sanctioned change in the parties' legal relationship. See Buckhannon Bd. & Care Home, Inc., 532 U.S. at 604.

Accordingly, the Court finds that plaintiff is not a prevailing party within the meaning of § 2412(d)(1)(A) and thus is not entitled to attorneys' fees or costs under the statute.

ORDER

For the foregoing reasons,

1) plaintiff's motion for reconsideration of Order on Motion for Preliminary Injunction and Temporary Restraining Order (Docket No. 18) is **DENIED;**

2) plaintiff's motion to strike (Docket No. 35) is **DENIED;**

3) plaintiff's motion for attorneys' fees under EAJA (Docket No. 42) is **DENIED;** and

4) the motion of defendants to dismiss (Docket No. 33) is **ALLOWED.**

So ordered.

/s/ Nathaniel M. Gorton
Nathaniel M. Gorton
United States District Judge

Dated February 10, 2023

DECLARATION FORM FOR TRAVELING DOCUMENTS

Date: 29/8/2024

Consignor's Name: CYRIL NNADOZIE OKOLI

Address: 36 Captain S.A Odeh Avenue Owerro Otukpo Benue State

Telephone No(s): 09032526052

Consignee's Name: Clerk

Address: Supreme Court of the United States Washington D.C. USA

Telephone No(s): 202-479-2022

Package Tracking No(s): 1Z8553963 8783

Contents of package: Court Correspondence

Purpose for which goods are being shipped: Challenging the government denial of my petition

I/We declare that the information given above is correct to the best of our/my knowledge. We/I further declare that should this shipment containing documents be seized by security agents or its delivery otherwise delayed or detained We/I shall not hold UPS in any way liable

This declaration is made by us/me

Name: CYRIL OKOLI Signature: [signature] Date: 29/8/2024