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Litigation-Related Update: Sileiri Doe Class Members May Request Reopening or Reconsideration of an Adverse Decision Without a Fee

Release Date : 10/26/2026

On Sept. 28, 2026, the U.S. District Court for the District of Massachusetts issued an order requiring DHS to remediate certain adverse consequences for the class of aliens paroled into the United States after scheduling an appointment through the CBP One mobile app, and whose parole was terminated by the federal government via mass email in April 2025. *Sileiri Doe v. DHS*, 1:25-cv-12245-ADB (D. Mass).

Pursuant to the Sept. 28 court order, *Sileiri Doe* class members may file with USCIS a request to reopen or reconsider an adverse decision or action on an immigration benefit request **without a fee**, if the class member believes that the adverse decision or action was made as a result of the April 2025 parole termination.

Class members may request reopening or reconsideration of an adverse decision without a fee, **excluding a request for employment authorization based on parole**, if USCIS issued the original decision or action **between April 1, 2025 and April 21, 2026**. There is no deadline for *Sileiri Doe* class members to file a request to reopen or reconsider such adverse decisions, pursuant to the court order.

For the purposes of this process, an “adverse decision” means a decision by USCIS on a benefit request that was denied, dismissed, deemed abandoned, administratively closed, rejected, or referred to the Executive Office for Immigration Review (EOIR).

Requests to reopen or reconsider under this process:

- Must be filed on the form designated by USCIS, following the form instructions, or in any other manner instructed by USCIS, including specific instructions for *Sileiri Doe* class members to ensure that the request is accepted and processed appropriately;
- Must explain how the April 2025 parole termination impacted the alien’s eligibility for the benefit, and why USCIS should reopen and/or reconsider its decision; and

- Will be reviewed on a case-by-case basis, and may be approved **only** if the alien demonstrates eligibility for the benefit, without consideration of the April 2025 parole termination.

For additional information on filing a request to reopen or reconsider without a fee, please see the instructions for *Sileiri Doe* class members on the [Form I-589 website](#) (for asylum applications) and the [Form I-290B website](#) (for all other benefit types).

Background

Sileiri Doe class members include all individuals who:

- i. scheduled their appointments for entry to the United States using the CBP One app;
- ii. were paroled into the United States between May 16, 2023, and Jan. 19, 2025;
- iii. had their parole terminated in April 2025 pursuant to an email stating, “It is time for you to leave the United States” or similar language; and
- iv. remain in the United States.

The April 2025 Parole Termination Emails sent to *Sileiri Doe* class members were vacated by the district court on March 31, 2026, and DHS was ordered to reinstate parole for all class members. *Id.* On April 21, 2026, U.S. Customs and Border Protection (CBP) updated government databases to reinstate class members’ parole periods following the April 2025 terminations and issued new parole termination notices.

Pursuant to the March 31, 2026 court order, the April 2025 Parole Termination Emails had no legal effect and cannot be used by DHS as a basis for denial of any applications, as grounds for decisions regarding admissibility and detention, or as the basis for accrual of unlawful presence pursuant to INA § 212(a)(9)(B) and (C)(i), 8 U.S.C. § 1182(a)(9)(B) and (C)(i). Note that the Sept. 28, 2026 court order requiring remediation of certain adverse consequences of the April 2025 parole terminations does not impact the new parole termination notices issued to class members on April 21, 2026.

Appeals

The process for *Sileiri Doe* class members to request reopening or reconsideration without a fee does not include appeals. For any benefit types that permit an appeal to be filed on Form I-290B, Notice of Appeal or Motion, or any other form, normal appeal procedures and requirements apply.

Aliens in Removal Proceedings

If you are a *Sileiri Doe* class member who is currently in removal proceedings before an Immigration Judge, you must have your removal proceedings terminated or dismissed by the Immigration Judge before you ask USCIS to reopen or reconsider your application for asylum and, in some cases, adjustment of status. There are limited exceptions. If you file a request to reopen or reconsider with USCIS, and USCIS no longer has jurisdiction over your case because you are in removal proceedings, USCIS will reject or deny your request. Please see the websites linked above for additional information.

