

**UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH CAROLINA
COLUMBIA DIVISION**

MATTHEW ARIWOOLA,

Plaintiff,

v.

KRISTI NOEM, in her official capacity as Secretary of Homeland Security; the DEPARTMENT OF HOMELAND SECURITY; and TODD LYONS, in his official capacity as Acting Director of U.S. Immigration and Customs Enforcement,

Defendants.

Case No. 3:25-cv-3313-JDA

**Complaint for Declaratory and
Injunctive Relief**

INTRODUCTION

1. Our country's colleges and universities host approximately 1.2 million international students. By and large, these students entered the United States through F-1 student visas, and their nonimmigrant statuses are monitored by Immigration and Customs Enforcement (ICE), a subdivision of the U.S. Department of Homeland Security (DHS), through the Student and Exchange Visitor Information System (SEVIS).

2. On or about April 4, 2025, DHS began suddenly and unilaterally terminating the SEVIS records of over 1,500 international students throughout the country—including many in South Carolina. These terminations were abrupt, unexplained, and afforded no opportunity for challenge or review. Not even the schools were notified.

3. Defendants' mass termination of SEVIS records reveals an unspoken logic. Defendants appear to be targeting students who either (1) have espoused views contrary to the Trump administration's and/or (2) have had *any* law enforcement encounter while in the United States. Neither is grounds for terminating a student's SEVIS record or F-1 visa.

4. Plaintiff Matthew Ariwoola—a fourth year PhD student at the University of South Carolina—is one of the impacted students. On April 8, 2025, Matthew (a citizen of Nigeria) was notified by a school official that his SEVIS record had been terminated. According to the SEVIS website, Matthew’s record was terminated because “[i]ndividual identified in criminal records check and/or has had their VISA revoked.” Ex. 1.

5. Matthew has *no criminal record*—not even a traffic ticket.

6. By terminating Matthew’s SEVIS record, Defendants terminated his nonimmigrant F-1 student status and subjected him to the threat of imminent deportation. He must cease his research (which focuses on making medications more effective) and discontinue his teaching responsibilities (which include four Introduction to Chemistry courses). He is also losing his stipend, and with it, his only way of supporting his family.

7. As eight other federal courts have already concluded, Defendants’ actions violate the Due Process Clause and the APA.¹ At the most elemental level, the United States Constitution requires Defendants to provide notice and a meaningful opportunity to be heard. *See Scorteanu v. I.N.S.*, 339 F.3d 407, 413 (6th Cir. 2003); *see also Mathews v. Eldridge*, 424 U.S. 319, 322 (1976). No such process was provided here.

8. Whatever authority Defendants may wield in immigration matters, they cannot use it arbitrarily, capriciously, or for the apparent purposes here: intimidation and coercion. If ICE believes a student is deportable, it has the authority to initiate removal proceedings and make its case. It cannot, however, misuse SEVIS to circumvent the law, strip students of status, and bully them into self-deporting without any process of law.

¹ In virtually identical cases throughout the country, federal courts are enjoining these unlawful terminations of SEVIS records. *See, e.g., C.S. v. Noem*, No. 2:25-cv-00477-WSS, Doc. 22 (W.D. Penn. Apr. 15, 2024); *Roe v. Noem*, No. 2:25-cv-00040-DLC, Doc. 11 (D. Mont. Apr. 15, 2025); *Doe v. Trump*, No. 4:25-cv-00175-AMM, Doc. 7 (D. Ariz. Apr. 15, 2025); *Hinge v. Lyons*, No. 1:25-cv-01097-RBW, Doc. 11 (D.D.C. Apr. 15, 2025); *Rantsantiboom v. Noem*, No. 0:25-cv-01315-JMB-JFD, Doc. 20 (D. Minn. Apr. 15, 2025); *Wu v. Lyons*, No. 1:25-cv-01979-NCM, Doc. 9 (E.D.N.Y. Apr. 11, 2025); *Zheng v. Lyons*, No. 1:25-cv-10893-FDS, Doc. 8 (D. Mass. Apr. 11, 2025); *Liu v. Noem*, No. 25-cv-133-SE, Doc. 13 (D.N.H. April 10, 2025).

PARTIES

9. Plaintiff Matthew Ariwoola is a 32-year-old PhD student from Nigeria who, until earlier this week, studied, researched, and taught chemistry at the University of South Carolina.

10. Defendant U.S. Department of Homeland Security (“DHS”) is a cabinet-level department of the Executive Branch of the federal government and is an “agency” within the meaning of 5 U.S.C. § 551(1). DHS includes various component agencies, including U.S. Immigration Customs and Enforcement (“ICE”).

11. Defendant Kristi Noem is the Secretary of Homeland Security and has ultimate authority over DHS. In that capacity and through her agents, Defendant Noem has broad authority over the operation and enforcement of immigration laws. Defendant Noem is sued in her official capacity.

12. Defendant Todd Lyons is the Acting Director of ICE and has authority over the operations of ICE. In that capacity and through his agents, Defendant Lyons has broad authority over the operation and enforcement of the immigration laws. ICE is responsible for the termination of Matthew’s SEVIS record. Defendant Lyons is sued in his official capacity.

JURISDICTION AND VENUE

13. This Court has subject matter jurisdiction under 28 U.S.C. § 1331 because the causes of action arise under the United States Constitution and Administrative Procedure Act, 5 U.S.C. § 551 *et. seq.*

14. Venue is proper under 28 U.S.C. § 1391(e) because Defendants are “officer[s] or employee[s] of the United States,” Plaintiff “resides in” the District of South Carolina, and “no real property is involved in the action.”

15. Venue is proper in the Columbia division under Local Civil Rule 3.01 because that is where Plaintiff resides.

FACTS

I. Legal Framework

16. Under the Immigration and Nationality Act (“INA”), noncitizens can enroll in government-approved academic institutions as F-1 students. *See* 8 U.S.C. § 1101(a)(15)(F). Admitted students living abroad enter the United States on an F-1 visa issued by the U.S. Department of State, and once they enter, are granted F-1 student status and typically permitted to remain in the United States for the duration of status (D/S) as long as the student continues to meet the requirements established by the regulations governing the student’s visa classification in 8 C.F.R. § 214.2(f), such as maintaining a full course of study and avoiding unauthorized employment.

17. An F-1 visa governs an individual’s *entry* into the United States, whereas F-1 student status governs the legality of his *ongoing presence* in the United States.

18. To retain F-1 student status, the student must comply with certain regulations, like maintaining a full course of study and avoiding unauthorized employment. *See* 8 U.S.C. § 1184(a)(1); 8 U.S.C. § 1101(15)(F)(i); 8 C.F.R. § 214.2(f).

19. “SEVIS [the Student and Exchange Visitor Information System] is a web-based system for maintaining information on nonimmigrant students and exchange visitors in the United States.”²

20. The Student Exchange Visitor Program (SEVP), operated by Immigration & Customs Enforcement (ICE), monitors an F-1 student’s status via SEVIS to ensure the individual is abiding by the restrictions of the status.

21. Having and maintaining F-1 student status is critical because it can serve as a form of relief and defense in removal proceedings.

² *Student and Exchange Visitor Program*, U.S. IMMIGRATION & CUSTOMS ENFORCEMENT (last accessed Apr. 17, 2025) <https://www.ice.gov/sevis>.

22. SEVP regulations govern termination of F-1 student status in SEVIS. The regulations distinguish between two separate ways a student may fall out of status: (1) a student who “fails to maintain status”; and (2) an agency-initiated “termination of status.” *See* 8 C.F.R. § 214.2(f).

23. Students fail to maintain their F-1 student status when they do not comply with the regulatory requirements of F-1 status, such as by failing to maintain a full course of study without prior approval, engaging in unauthorized employment, or other violations of the requirements under 8 C.F.R. § 214.2(f). In addition, 8 C.F.R. § 214.1(e)-(g) outlines specific circumstances where certain conduct by any nonimmigrant visa holder—such as engaging in unauthorized employment, providing false information to DHS, or being convicted of a crime of violence with a potential sentence of more than a year—“constitute a failure to maintain status.” School officials must report to SEVP, via SEVIS, when a student fails to maintain status. *See* 8 C.F.R. § 214.3(g)(2).

24. If a host university fails to comply with federal law and regulations, such as by allowing a student without F-1 status to attend, the university may face sanctions, including losing the ability to host any current or future international students.

25. Importantly, the expiration of an F-1 visa does not constitute a failure to maintain F-1 student status and, therefore, cannot serve as a basis for termination of F-1 student status in the SEVIS system.

26. DHS’s ability to initiate the termination of F-1 student status “is limited by [8 C.F.R.] § 214.1(d).” *Jie Fang*, 935 F.3d at 185 n.100. Under this regulation, DHS can terminate F-1 student status under the SEVIS system *only* when: (1) a previously granted waiver under 8 U.S.C. § 1182(d)(3) or (4) is revoked; (2) a private bill to confer lawful permanent residence is introduced in Congress; or (3) DHS publishes a notification in the Federal Register identifying national security, diplomatic, or public safety reasons for termination. *See* 8 C.F.R. § 214.1(d).

II. Plaintiff Matthew Ariwoola

27. Matthew Ariwoola is a Nigerian citizen who began pursuing a PhD in chemistry at the University of South Carolina in 2021. He is scheduled to graduate in December of this year.

28. Matthew applied for his original F-1 visa in Nigeria, and his F-1 visa was renewed in March 2023. Matthew was admitted into the United States for “D/S,” (the duration of his status).

29. Over the past four years, Matthew’s research has focused on making medications more effective. Specifically, he works to stabilize the chemical compounds that are used to carry drugs to particular sites in the body.

30. This semester, in addition to his research, Matthew was responsible for teaching Introduction to Chemistry to four separate sections totaling over one hundred students.

A. Plaintiff’s SEVIS Termination

31. On Tuesday, April 8, 2025, staff with the University of South Carolina’s International Student and Scholar Support (ISSS) met with Matthew. They notified him that he was unable to conduct his research or teach his classes because his SEVIS record was terminated.

32. Matthew’s SEVIS entry listed his status as “TERMINATED” as of April 8, 2025. The reason for termination is listed as “OTHER – Individual identified in criminal records check and/or has had their VISA revoked. SEVIS record has been terminated.”

33. Matthew has never been convicted of a crime. He presumes (because ICE gave him no notice or explanation) that his SEVIS was terminated on the basis of his only interaction with American law enforcement: in 2023, Matthew was arrested on a Georgia warrant for Theft By Deception—despite never even having been to Georgia. Matthew was never required to appear in court, and the case was rightfully dismissed.

34. Matthew's F-1 visa was not terminated. Although his visa expired on February 27, 2025, his lawful F-1 status was set to continue throughout his studies. *See supra* ¶ 28.

35. But now, because Matthew is not permitted to conduct his research or teach classes, he cannot comply with the requirements of his F-1 status. *See supra* ¶¶ 23, 31.

36. Termination of his SEVIS record constituted termination of his F-1 status.

B. Plaintiff's Irreparable Harm

37. Plaintiff's status termination puts him at serious risk of immediate arrest and detention for removal proceedings—an outcome other students have already faced.³

38. Defendants' termination of Matthew's F-1 status will prevent him from graduating in December 2025.

39. Because Matthew is not currently permitted to conduct his research, there is a risk that the compounds he studies may decompose. The compounds Matthew works with are expensive, so if that occurs, it would be a financial loss for the university. It would also delay his research, potentially wasting six months of effort.

40. Because Matthew cannot conduct research or teach classes, he will be ineligible to receive his stipend, which is disbursed biweekly. Without that financial support, Matthew will not be able to pay next month's rent and would become homeless.

41. Matthew is also the breadwinner for his family, which includes his mother, spouse, brother, sister, and young cousin. If he does not receive his biweekly educational stipend, he cannot provide for his family.

PLAINTIFF'S CLAIMS

First Cause of Action

Fifth Amendment Due Process

(Termination of F-1 Student Status via SEVIS Termination)

³ *See, e.g., Ozturk v. Trump*, No. 25-cv-10695-DJC, __ F. Supp. 3d __, 2025 LEXIS 64831, 2025 WL 1009445 (D. Mass. Apr. 4, 2025).

42. The allegations in all previous paragraphs incorporated here.

43. At the most elemental level, the United States Constitution requires notice and a meaningful opportunity to be heard. *See Scorteanu v. I.N.S.*, 339 F.3d 407, 413 (6th Cir. 2003) (due process entitles noncitizens to “notice that is reasonably calculated, under the circumstances, to apprise interested parties of the pendency of the action and afford them an opportunity to present their objections”) (internal quotations omitted). *See also Mathews v. Eldridge*, 424 U.S. 319, 322 (1976). No such process was provided here.

44. The United States Constitution requires notice and a meaningful opportunity to be heard before being deprived of rights and interests that can be withdrawn only for cause by law. *See Scorteanu v. I.N.S.*, 339 F.3d 407, 413 (6th Cir. 2003) (due process entitles noncitizens to “notice that is reasonably calculated, under the circumstances, to apprise interested parties of the pendency of the action and afford them an opportunity to present their objections”).

45. The law, namely 8 C.F.R. § 214.1(d), provides the specific bases upon which an immigrant student’s F-1 status can be terminated by DHS.

46. Defendants terminated Plaintiff’s F-1 student status under SEVIS without (i) notifying him of the termination decision and the reasons for it, (ii) providing him an individualized hearing before an impartial adjudicator, and (iii) failing to provide Plaintiff with adverse evidence and an opportunity to confront and respond to such evidence.

47. Defendants’ disregard for complying with the well-established due process principles violated Plaintiff’s due process rights.

Second Cause of Action

Administrative Procedure Act and *Accardi* Doctrine

(Termination of F-1 Student Status via SEVIS Termination)

48. The allegations in all previous paragraphs are incorporated here.

49. Defendants’ termination of Plaintiff’s F-1 student status under SEVIS is a final agency action. *See Jie Fang*, 935 F.3d at 182 (“The order terminating these students’ F-1 visas

marked the consummation of the agency's decision-making process, and is therefore a final order[.]").

50. Defendants' termination of Plaintiff's F-1 student status under SEVIS violates the Administrative Procedure Act (APA) and should be set aside pursuant to 5 U.S.C. § 706(2) as arbitrary, capricious, an abuse of discretion, contrary to constitutional right, contrary to law, in excess of statutory jurisdiction, and in violation of the *Accardi* doctrine and federal agencies' own rules, *see Accardi v. Shaughnessy*, 347 U.S. 260 (1954).

51. Under 8 C.F.R. § 214.1(d), Defendants have no statutory or regulatory authority to terminate Plaintiff's F-1 student status in SEVIS based simply on revocation of a visa. Additionally, nothing in Plaintiff's (lack of) criminal history, academic record, or other applicable history or record provides a statutory or regulatory basis for termination or even for determining that Plaintiff has failed to maintain his F-1 status.

52. Additionally, in making its determination that Plaintiff's student status should be terminated, Defendants did not consider any facts relevant to Plaintiff's individual circumstances, nor did it provide any explanation, let alone reasoned explanation, justifying its determination. As a result, Defendants arbitrarily and capriciously terminated Plaintiff's F-1 student status under SEVIS.

53. Moreover, Defendants terminated Plaintiff's F-1 student status under SEVIS without affording them meaningful notice and an opportunity to be heard, contrary to Plaintiff's constitutional right to procedural due process.

54. Therefore, Defendants' termination of Plaintiff's F-1 student status under SEVIS is arbitrary and capricious, an abuse of discretion, contrary to constitutional right, contrary to law, and in excess of statutory jurisdiction. 5 U.S.C.A. § 706(2). It is also not in accordance with DHS's own rules.

RELIEF REQUESTED

WHEREFORE, Plaintiff asks that this Court:

- a. Assume jurisdiction over this matter;
- b. Enter judgment in favor of Plaintiff and against Defendants;
- c. Declare that Defendants Noem's and Lyons's termination of Plaintiff's F-1 student status in SEVIS without affording them sufficient notice and opportunity to be heard violated Plaintiff's Fifth Amendment procedural due process rights;
- d. Declare that Defendants Noem's and Lyons's termination of Plaintiff's F-1 student status in SEVIS violated the Administrative Procedure Act (including under 8 C.F.R. § 214.1(d));
- e. Issue a temporary restraining order, followed by a preliminary and permanent injunction, as to Defendants Noem and Lyons:
 - 1) requiring them to restore Plaintiff's valid F-1 student status in SEVIS;
 - 2) requiring them to set aside the F-1 student status termination decision as to Plaintiff;
 - 3) prohibiting them from terminating Plaintiff's F-1 student status absent a valid ground as set forth in 8 C.F.R. § 214.1(d), and absent an adequate individualized pre-deprivation proceeding before an impartial adjudicator for Plaintiff, in which he will be entitled to review any adverse evidence and respond to such evidence prior to determining anew that Plaintiff's F-1 student status should be terminated;
- f. Issue a temporary restraining order, followed by a preliminary and permanent injunction, as to all Defendants:
 - 1) prohibiting them from arresting, detaining, or transferring Plaintiff out of this Court's jurisdiction, or ordering the arrest, detention, or transfer of Plaintiff out of this Court's jurisdiction, without first providing adequate notice to both this Court and Plaintiff's counsel as well as time to contest any such action;
 - 2) prohibiting them from initiating removal proceedings against or deporting any Plaintiff on the basis of the termination of their F-1 student status;
- g. Award Plaintiff attorney fees and other litigation costs pursuant to the Equal Access to Justice Act and/or any other applicable law; and
- h. Grant such further relief as the Court deems just and proper.

Dated: April 18, 2025

Respectfully submitted,

/s/ Meredith McPhail

Meredith D. McPhail
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Attorneys for Plaintiff

An official website of the U.S. government Skip Navigation



SEVIS

Student & Exchange Visitor Information System

Christopher Reid Logout
1-800-892-4829
ROLES: DSO, PDSO, ARO
SEVIS Help Desk
[Get Plug-Ins](#)

[Main](#) [Listing of Schools](#) [Listing of Programs](#) [Message Board](#) [Change Password](#)

Enter SEVIS ID

<< Return to **Terminated Status Students (past 18 months)**

View:

[Event History](#)

[Request/Authorization
Details](#)

[Transfer History](#)

[Employment Information](#)

Actions:

[Corrections](#)

[Request Reinstatement](#)

[Transfer Out](#)

Student Information

F-1 STUDENT

**Ariwoola,
Matthew
Olaide**

**University of South
Carolina - University of
South Carolina-Columbia**
Start Date: **August 12, 2021**
End Date: **May 9, 2026**

Status: **TERMINATED**

Status Change Date:

April 8, 2025

SEVIS ID:

I-901 Fee
Paid

I-20 ISSUE REASON: **CONTINUED
ATTENDANCE**

TERMINATION REASON: **OTHER -
Individual identified in criminal records
check and/or has had their VISA
revoked. SEVIS record has been
terminated.**

Personal / Contact

Gender

MALE

Date of Birth

[REDACTED]

Age 32

City of Birth

Lagos

Country of Birth

NIGERIA

Country of Citizenship

NIGERIA

U.S. Telephone

[REDACTED]

Foreign Telephone

U.S. Address

[REDACTED]

Address Status

**Valid H - High-rise default
address**

Foreign Address

[REDACTED]

[REDACTED]

[REDACTED]

NIGERIA

Email Address

ariwoola@email.sc.edu

Overall Remarks

Program

Education Level

DOCTORATE

Major 1 and Name

40.0501 - Chemistry, General

Major 2 and Name

40.0501 - Chemistry, General

Minor and Name

Registration

Initial Session Start Date

August 19, 2021

Current Session End Date

May 10, 2025

Next Session Start Date

August 19, 2025

Length of Next Break/Vacation

00.0000 - None
Program Start Date
August 12, 2021

100
Last Session

Program End Date
May 9, 2026

Study/Research Abroad
No
Thesis/Dissertation
Yes

English Proficiency

School Requires English Proficiency for This Program
Yes
Student Has English Proficiency
Yes

I-901 SEVIS Fee Payment

Transaction Type
Payment
Transaction Date
October 14, 2020
Transaction Amount
\$350.00
Fee Payment / Cancellation Receipt Number
WWW2028874865

Additional Names

Passport Name
Ariwoola Matthew Olaide
Preferred Name
Matthew Olaide Ariwoola
SEVIS Legacy Name

School

School Name
University of South Carolina
School Code
ATL214F01395000
Campus Name
University of South Carolina-Columbia
School Status
APPROVED

Travel

Port of Entry
ORLANDO, FL (ORL)
Date of Entry
March 7, 2023
I-94 Admission Number
Port of Departure
ORLANDO, FL (ORL)
Date of Departure
February 27, 2023

Visa

Visa Number
[REDACTED]
Visa Issuance Date
March 1, 2023
Visa Expiration Date
February 27, 2025
Visa Issuance Post
SANTO DOMINGO (SDO)

Passport

Passport Number
[REDACTED]
Passport Expiration Date
February 14, 2028
Country of Issuance
UNKNOWN

Financial

Expenses

Estimated	.....	09 months
Average		
Cost for		
Tuition and	.....	\$9,555.00
Fees		
Living	.....	\$20,658.00
Expenses		

Funding

Student	.....	09 months
Funding		
for		
Student's	.....	\$0.00
Personal		
Funds		
Funds	.....	\$35,213.00
From This		
School		

Dependents Expenses	.....	\$5,000.00	School Fund Type	.....	Graduate Assistantship
Other Costs	.....		Funds From Other Sources	.....
Other Costs	.....		Source Type	.....
Comment			On-Campus Employment	.....
Total Expense	.....	\$35,213.00	Total Funding	.....	\$35,213.00

Dependents

SEVIS ID	Surname/Primary Name	Given Name	Relationship	Gender	Status	Date of Last Event
██████████	Odeleye	Elizabeth Adeshola	SPOUSE	FEMALE	TERMINATED	April 8, 2025

Student Requests

Request Type	Request Status	Receipt Number
Transfer	APPROVED	

Wed Apr 09 10:23:42 EDT 2025

U.S. Immigration and Customs Enforcement