

**UNITED STATES DISTRICT COURT
DISTRICT OF COLORADO
DENVER DIVISION**

FILED
UNITED STATES DISTRICT COURT
DENVER, COLORADO
OCT 09 2025
JEFFREY P. COLWELL
CLERK

DEBORAH SAINT-VIL

Plaintiff,

v.

Pam Bondi, Attorney General of the United States

Peter McNeil U.S Attorney for the District of Colorado

Kristi Noem, Secretary of U.S. Department of Homeland Security

Joseph B. Edlow, Director, of U.S. Citizenship and Immigration Services

Case No.:

COMPLAINT FOR WRIT OF MANDAMUS AND INJUNCTIVE RELIEF

INTRODUCTION

1. Plaintiff Deborah Saint-Vil brings this action under the Mandamus Act, 28 U.S.C. § 1361, and the Administrative Procedure Act ("APA"), 5 U.S.C. §§ 555(b), 706(1), to compel Defendants to adjudicate her long-pending EAD Application (Form I-765).
2. Plaintiff is applicant for adjustment of status Form I-485: who properly filed application for employment authorization Form I-765, processing at The National benefit Center (NBC) based on the I-485. Despite filing many months ago, her EAD application remains unadjudicated, causing significant financial and personal hardship and future uncertainties.

3. Plaintiff has pursued available administrative remedies, including multiple service requests and expedite requests, which USCIS acknowledged delays not related to plaintiff's case.

August 28, 2025, expedite requested from USCIS.

September 5, 2025, Contact USCIS (Live Chat)

4. The unreasonable delay has deprived Plaintiff financially, plaintiff can't obtain lawful employment, loss of job opportunity, and difficulties to continue her life in the United States with stability.

5. While this action primarily seeks adjudication for EAD based on her pending adjustment of Status, plaintiff's I-485 application has been pending for 17 months on average, highlighting extended processing time and the urgent need.

JURISDICTION AND VENUE

6. This Court has jurisdiction under 28 U.S.C. § 1331 (federal question), § 1361 (mandamus), and the APA, 5 U.S.C. §§ 555(b), 706(1).

7. Venue is proper in this District under 28 U.S.C. § 1391(e) because Plaintiff Deborah SaintVil resides in Greeley, Colorado a substantial part of the events giving rise to the claim occurred here, and Defendants are officers of the United States acting in their official capacities.

PARTIES

8. Plaintiff Deborah Saint-Vil resides at 1331 10th St, Greeley Co 80631. She filed Form I-485 on March 29, 2024, receipt number IOE0925665941, and Form I-765 on December 13, 2024, receipt number IOE0929090776, pending 268 days as of September 7, 2025.

Defendant, Pam Bondi, is the Attorney General of the United States, with an official address at the U.S. Department of Justice, 950 Pennsylvania Ave NW, Washington, DC 20530-0001. She is sued in her official capacity.

Defendant, Joseph B. Edlow, is the Director of USCIS, with an official address at USCIS Office of the Chief Counsel, 5900 Capital Gateway Drive, Mail Stop 2120, Camp Springs, MD 205880009. He is sued in his official capacity.

Defendant, Kristi Noem, is the Secretary of the Department of Homeland Security (DHS). Her official address is U.S. Department of Homeland Security, c/o Office of the General Counsel, 2707 Martin Luther King Jr. Ave SE, Washington DC 20528-0485. She is sued in her official capacity.

Peter McNeil is the United States Attorney for the Colorado district. His official address is United States Attorney's office for the district of Colorado: 1801 California St Suite 1600, Denver, Co 80202. He is sued in his official capacity.

FACTS

Plaintiff is eligible applicant for adjustment of status.

Employment authorization under category C09 is directly tied to the pending I-485 application

USCIS processing of EAD is meant to be swift, yet Plaintiff's applications have faced prolonged delays.

Plaintiff filed multiple service requests and expedited requests, acknowledged by USCIS but not resolved.

Meanwhile, USCIS continues to adjudicate other I-765 applications and AOS in few months, creating inconsistent results.

Plaintiff has no other remedy but to seek judicial intervention.

LEGAL ARGUMENT

Plaintiff has a clear and indisputable right to the relief requested. Under 5 U.S.C. § 706(1), the APA authorizes courts to compel agency action unlawfully withheld or unreasonably delayed.

Courts have consistently held that delays exceeding published processing times constitute an unreasonable delay under the APA. See *Han Cao v. Upchurch*, 496 F. Supp. 2d 569 (E.D. Pa. 2007).

The Defendants owe Plaintiff a nondiscretionary duty to process and adjudicate the application within a reasonable time.

The Court's intervention is necessary to redress this inaction and ensure compliance with statutory and regulatory duties.

RELIEF REQUESTED

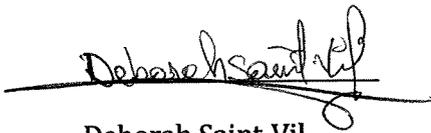
1. Declare that Defendants' failure to adjudicate Plaintiff's Form I-765 within a reasonable time is unlawful.
2. Order Defendants to promptly adjudicate Plaintiff's pending Form I-765 application within 5 days of the Court's order, or within a period the Court deems just and reasonable.
3. Note that Plaintiff's Form I-485 has been pending for 527 days as of September 7, 2025, indicating ongoing unreasonable delay
4. Grant any other relief this Court deems just and proper.

5. Plaintiff is proceeding pro se and therefore does not seek attorney's fees but reserves the right to seek filing fee and total costs or equitable relief.

CONCLUSION

Plaintiff respectfully requests that this Court grant the relief sought and compel Defendants to promptly adjudicate the application, ensuring compliance with statutory mandates and protections.

Respectfully submitted,



Deborah Saint-Vil
Plaintiff, pro se
1331 10th Street
Greeley Co, 80631
Phone: (970) 313-6724
Email: Debbiesaintvil@gmail.com
09/07/2025

EXHIBITS:

- A- Copy of Receipt notice I-485 application for permanent residence
- B- Copy of Receipt notice EAD application for employment authorization
- C- Copy of live chat with USCIS September 5, 2025
- D- Copy of response from USCIS for expedite request August 28, 2025
- E- USCIS processing time for EAD at National benefit center

AFFIDAVIT

I, Deborah Saint-Vil, declare under penalty of perjury that the foregoing is true and correct.

(Attached)

Defendants

Pam Bondi, Attorney General of the United States

Peter McNeil U.S Attorney for the district of Colorado

Kristi Noem, Secretary of U.S. Department of Homeland Security

Joseph B. Edlow, Director, of U.S. Citizenship and Immigration Services

INSTRUCTIONS FOR ATTORNEYS COMPLETING CIVIL COVER SHEET FORM JS 44

Authority For Civil Cover Sheet

The JS 44 civil cover sheet and the information contained herein neither replaces nor supplements the filings and service of pleading or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. Consequently, a civil cover sheet is submitted to the Clerk of Court for each civil complaint filed. The attorney filing a case should complete the form as follows:

- I.(a) Plaintiffs-Defendants.** Enter names (last, first, middle initial) of plaintiff and defendant. If the plaintiff or defendant is a government agency, use only the full name or standard abbreviations. If the plaintiff or defendant is an official within a government agency, identify first the agency and then the official, giving both name and title.
- (b) County of Residence.** For each civil case filed, except U.S. plaintiff cases, enter the name of the county where the first listed plaintiff resides at the time of filing. In U.S. plaintiff cases, enter the name of the county in which the first listed defendant resides at the time of filing. (NOTE: In land condemnation cases, the county of residence of the "defendant" is the location of the tract of land involved.)
- (c) Attorneys.** Enter the firm name, address, telephone number, and attorney of record. If there are several attorneys, list them on an attachment, noting in this section "(see attachment)".
- II. Jurisdiction.** The basis of jurisdiction is set forth under Rule 8(a), F.R.Cv.P., which requires that jurisdictions be shown in pleadings. Place an "X" in one of the boxes. If there is more than one basis of jurisdiction, precedence is given in the order shown below.
- United States plaintiff. (1) Jurisdiction based on 28 U.S.C. 1345 and 1348. Suits by agencies and officers of the United States are included here.
- United States defendant. (2) When the plaintiff is suing the United States, its officers or agencies, place an "X" in this box.
- Federal question. (3) This refers to suits under 28 U.S.C. 1331, where jurisdiction arises under the Constitution of the United States, an amendment to the Constitution, an act of Congress or a treaty of the United States. In cases where the U.S. is a party, the U.S. plaintiff or defendant code takes precedence, and box 1 or 2 should be marked.
- Diversity of citizenship. (4) This refers to suits under 28 U.S.C. 1332, where parties are citizens of different states. When Box 4 is checked, the citizenship of the different parties must be checked. (See Section III below; **NOTE: federal question actions take precedence over diversity cases.**)
- III. Residence (citizenship) of Principal Parties.** This section of the JS 44 is to be completed if diversity of citizenship was indicated above. Mark this section for each principal party.
- IV. Nature of Suit.** Place an "X" in the appropriate box. If there are multiple nature of suit codes associated with the case, pick the nature of suit code that is most applicable. Click here for: [Nature of Suit Code Descriptions](#).
- V. Origin.** Place an "X" in one of the seven boxes.
- Original Proceedings. (1) Cases which originate in the United States district courts.
- Removed from State Court. (2) Proceedings initiated in state courts may be removed to the district courts under Title 28 U.S.C., Section 1441. When the petition for removal is granted, check this box.
- Remanded from Appellate Court. (3) Check this box for cases remanded to the district court for further action. Use the date of remand as the filing date.
- Reinstated or Reopened. (4) Check this box for cases reinstated or reopened in the district court. Use the reopening date as the filing date.
- Transferred from Another District. (5) For cases transferred under Title 28 U.S.C. Section 1404(a). Do not use this for within district transfers or multidistrict litigation transfers.
- Multidistrict Litigation – Transfer. (6) Check this box when a multidistrict case is transferred into the district under authority of Title 28 U.S.C. Section 1407.
- Multidistrict Litigation – Direct File. (8) Check this box when a multidistrict case is filed in the same district as the Master MDL docket.
- PLEASE NOTE THAT THERE IS NOT AN ORIGIN CODE 7.** Origin Code 7 was used for historical records and is no longer relevant due to changes in statute.
- VI. Cause of Action.** Report the civil statute directly related to the cause of action and give a brief description of the cause. **Do not cite jurisdictional statutes unless diversity.** Example: U.S. Civil Statute: 47 USC 553 Brief Description: Unauthorized reception of cable service
- VII. Requested in Complaint.** Class Action. Place an "X" in this box if you are filing a class action under Rule 23, F.R.Cv.P.
- Demand. In this space enter the actual dollar amount being demanded or indicate other demand, such as a preliminary injunction.
- Jury Demand. Check the appropriate box to indicate whether or not a jury is being demanded.
- VIII. Related Cases.** This section of the JS 44 is used to reference related pending cases, if any. If there are related pending cases, insert the docket numbers and the corresponding judge names for such cases.
- Date and Attorney Signature.** Date and sign the civil cover sheet.



U.S. District Court

District of Colorado

Receipt Date: Oct 9, 2025 11:48AM

Deborah Saint-Vil

Rcpt. No: 115721

Trans. Date: Oct 9, 2025 11:48AM

Cashier ID: #EC (6712)

CD	Purpose	Case/Party/Defendant	Qty	Price	Amt
200	Civil Filing Fee- Non-Prisoner		1	405.00	405.00

CD	Tender			Amt
CH	Check	#22-104203791	10/9/2025	\$405.00
Total Due Prior to Payment:				\$405.00
Total Tendered:				\$405.00
Total Cash Received:				\$0.00
Cash Change Amount:				\$0.00

Comments: New Case Filing Fee

Only when the bank clears the check, money order, or verifies credit of funds, is the fee or debt officially paid or discharged. A \$53 fee will be charged for a returned check.

Department of Homeland Security
U.S. Citizenship and Immigration Services

Form I-797C, Notice of Action

THIS NOTICE DOES NOT GRANT ANY IMMIGRATION STATUS OR BENEFIT.

NOTICE TYPE Receipt		NOTICE DATE December 17, 2024
CASE TYPE I-765 Application for Employment Authorization		USCIS ALIEN NUMBER A233135108
RECEIPT NUMBER IOE0929090776	RECEIVED DATE December 13, 2024	PAGE 1 of 1
		DATE OF BIRTH August 01, 2001

DEBORAH SAINT-VIL
2826 ECONOMY ST
FORT MYERS, FL 33916

18 00005270

PAYMENT INFORMATION:

Application/Petition Fee: \$0.00
Total Amount Received: \$0.00
Total Balance Due: \$0.00



NAME AND MAILING ADDRESS

Eligibility Category: C09

We have received your form and are currently processing it. We will notify you separately about any other form you filed. If we determine you must submit biometrics, we will mail you a biometrics appointment notice with the time and place of your appointment. If you have questions or need to update your personal information listed above, please visit the USCIS Contact Center webpage at uscis.gov/contactcenter to connect with a live USCIS representative in English or Spanish.

If you filed to renew your Employment Authorization Document (EAD) under category A03, A05, A07, A08, A10, A12, A17, A18, C08, C09, C10, C16, C19, C20, C22, C24, C26, or C31, you may be eligible for an automatic extension of your EAD. Full details and an eligibility calculator are at uscis.gov/eadautoextend.

You qualify for an automatic extension if: (1) the category on your current EAD matches the "Class Requested" listed on this notice, * and (2) the "Received Date" on this notice is before the "Card Expires" date on your EAD.

*If you filed under the A12 or C19 classifications, you qualify for an automatic extension if: (1) this notice and your expired EAD contain either A12 or C19 (they do not need to match); and (2) you filed your renewal Form I-765 during the TPS re-registration period indicated in the applicable Federal Register notice for your country found at uscis.gov/humanitarian/temporary-protected-status.

If you are eligible for an automatic extension of your EAD, you can show this notice with your expired EAD to your employer for employment eligibility verification (Form I-9) purposes. The automatic extension is for up to 540 days from the expiration date printed on the front of your EAD. If we deny your renewal application, the automatic extension ends immediately, and you can no longer use this notice for Form I-9 purposes. If your EAD is also your Advance Parole document, the automatic extension does not apply to Advance Parole. This notice, by itself, does not grant any immigration status or benefit, nor is it evidence that this application is still pending.

If we have approved or are still processing your underlying Form I-140 and your Form I-485 has been pending for at least 180 days, you may request to change employers under INA 204(j). For more information on this process, please visit uscis.gov/i-485supi.

Based on your responses in Part 2 on the Form I-765, you have consented to the disclosure of your information to the Social Security Administration (SSA). If USCIS approves your application for employment authorization, USCIS will electronically transmit the data to SSA and the SSA may assign you a Social Security Number (SSN) and issue a card.

USCIS Office Address:
USCIS
National Benefits Center
P.O. Box 648003
Lee's Summit, MO 64002

USCIS Contact Center Number:
(800)375-5283



Department of Homeland Security
U.S. Citizenship and Immigration Services

Form I-797C, Notice of Action

THIS NOTICE DOES NOT GRANT ANY IMMIGRATION STATUS OR BENEFIT.

NOTICE TYPE Receipt		NOTICE DATE May 07, 2024
CASE TYPE I-485, Application to Register Permanent Residence or Adjust Status		USCIS ALIEN NUMBER A065616906
RECEIPT NUMBER IOE0925665941	RECEIVED DATE March 29, 2024	PAGE 1 of 1
PRIORITY DATE November 09, 2018	PREFERENCE CLASSIFICATION Other Relative of U.S. citizen or relative of LPR	DATE OF BIRTH August 01, 2001

DEBORAH SAINT VIL
5133 20TH CT SW
NAPLES, FL 34116

15 00004093

PAYMENT INFORMATION:

Application/Petition Fee:	\$1,140.00
Biometrics Fee:	\$85.00
Total Amount Received:	\$1,225.00
Total Balance Due:	\$0.00



NAME AND MAILING ADDRESS

We have received your form and are currently processing the above case. If this notice contains a priority date, this priority does not reflect earlier retained priority dates. We will notify you separately about any other case you filed.

If we determine you must submit biometrics, we will mail you a biometrics appointment notice with the time and place of your appointment.

If you have questions or need to update your personal information listed above, please visit the USCIS Contact Center webpage at uscis.gov/contactcenter to connect with a live USCIS representative in English or Spanish.

USCIS Office Address:

USCIS
National Benefits Center
P.O. Box 648003
Lee's Summit, MO 64002

USCIS Contact Center Number:

(800)375-5283





Debbie Saint-Vil <debbiesaintvil@gmail.com>

Your recent inquiry

USCIS <USCIS-CaseStatus@dhs.gov>

Thu, Aug 28 at 4:37 PM

To: <debbiesaintvil@gmail.com>

U.S. Department of Homeland Security
USCIS National Benefits Center
P.O. Box 648005
Lee's Summit, MO 64002

U.S. Citizenship and Immigration Services Thursday, August 28, 2025

Dear DEBORAH SAINT VIL:

On 08/28/2025, you or the designated representative shown below, contacted us about your case. Some of the key information given to us at that time was the following:

Caller indicated they are:

-- Applicant or Petitioner

Case type:

-- I765

Referral ID:

-- OVP2402502019MSC

Type of service requested:

The status of this service request is:

Due to workload factors not related to your case, USCIS anticipates a delay in completing your case. USCIS is committed to adjudicating immigration benefits in the order received.

If your receipt number begins with IOE, please consider activating your USCIS online account at <https://myaccount.uscis.gov>. You can use your account to get your current case status and to access every notice we send you. You can also send messages and receive answers through a secure inbox.

Address Changes: If you move, please provide us with an updated address. For more information about address changes, please visit our website at www.uscis.gov/addresschange, and click on "How to Change Your Address." To ensure that all mail is delivered as addressed, please also ensure that you are registered with the U.S. Postal Service (USPS) to receive mail at the address of record you have provided to USCIS.

For questions about your application, you can use our many online tools (uscis.gov/tools) including our virtual assistant, Emma. If you are not able to find the information you need online, you can reach out to the USCIS Contact Center by visiting uscis.gov/contactcenter. The USCIS website also provides detailed information about policies and procedures, and you can download and e-file forms from the website.

I want to know why is my I-765 takes so long to adjudicate, i filed since December 2024, which office is handle my application?

Your case is still processing. You can get an idea of how long it will take to process your case from the processing time table available on our website at egov.uscis.gov/processing-times. Enter the Form, Form Category, and Field Office or Service Center, from the drop downs. You will be given a processing time frame. You can then enter your receipt date and select the "Get Inquiry Date" box. If the message indicates "You can send us questions about your case by submitting a Service Request online" you can submit a "Case outside normal processing time" e-request at egov.uscis.gov/e-request/Intro.do.

Your case is currently at the National Benefits Center.

It is out of processing time

AO 440 (Rev. 06/12) Summons in a Civil Action (Page 2)

Civil Action No. _____

PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))

This summons for *(name of individual and title, if any)* _____
was received by me on *(date)* _____.

I personally served the summons on the individual at *(place)* _____
_____ on *(date)* _____ ; or

I left the summons at the individual's residence or usual place of abode with *(name)* _____
_____, a person of suitable age and discretion who resides there,
on *(date)* _____, and mailed a copy to the individual's last known address; or

I served the summons on *(name of individual)* _____, who is
designated by law to accept service of process on behalf of *(name of organization)* _____
_____ on *(date)* _____ ; or

I returned the summons unexecuted because _____ ; or

Other *(specify):* _____

My fees are \$ _____ for travel and \$ _____ for services, for a total of \$ _____ 0.00 .

I declare under penalty of perjury that this information is true.

Date: _____

Server's signature

Printed name and title

Server's address

Additional information regarding attempted service, etc:

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PRESS FIRMLY TO SEAL

UNITED STATES
POSTAL SERVICE®

PRIORITY®
MAIL

FROM: Deborah Sandwell

1331 10th St
Greeley, CO 80637-3703

TO: Alfred A. Arroy
US Court House A 705
907 19th St Room 80294 -
Denver, CO 80294
3589

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\$11.90
Origin: 80631
10/07/25
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RDC 03

EXPECTED DELIVERY DAY: 10/10/25

SHIP TO:
901 19TH ST
DENVER CO 80294-2500

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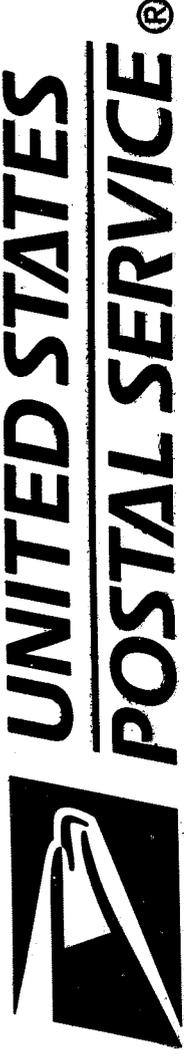
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to schedule free Package Pickup,
scan the QR code.



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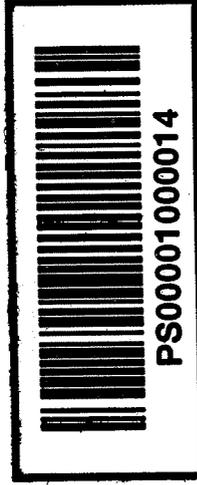
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ONE RATE ■ ANY WEIGHT

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scan the QR code.



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EP14F October 2023
OD: 12 1/2 x 9 1/2

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