

# Jenner & Block Represents Muslim-American US Citizen in Supreme Court in *FBI v. Fikre*

## News

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Mr. Fikre is a law-abiding US citizen who was stranded overseas for four years after the FBI placed him on the No Fly List. Mr. Fikre sued, alleging that his placement on the No Fly List violated his constitutional rights to due process. After four years of litigation, the FBI removed Fikre from the No Fly List without explanation and promised not to put him on it again “based on the currently available information.” As a result, the government argued that his lawsuit was moot. The Ninth Circuit disagreed, and the United States sought review by the Supreme Court.

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Jenner & Block joined the matter in the Supreme Court, working alongside CAIR LDF and the Clinic to argue that Mr. Fikre’s case is not moot because the government’s promise does not adequately assure Mr. Fikre that the constitutional violations will not recur. Specifically, the government retains the ability to re-list Mr. Fikre, has made no promises that if it does so he will receive advance notice or a hearing, has made no commitment that he will not be relisted for the same kinds of conduct that resulted in his first listing, and has not even disclosed the basis for Mr. Fikre’s listing. As a result, Mr. Fikre argues that there remains a live controversy for a court to redress.

The Jenner team includes Washington, DC Office Managing Partner Lindsay Harrison; Appellate Co-Chairs Annie Kastanek and Matt Hellman; Special Counsel Ali Alsarraf; and Associates Benjamin Alter, Maria LaBella, and Sophie Montgomery.

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