

Appeals Court Rules Judges Can't Block Trump's Crackdown on Pro-Hamas Foreign Students

A federal appeals court handed the Trump administration a significant legal victory Tuesday, ruling that a lower court judge overstepped when she ordered the release of Mohsen Mahdawi, a Palestinian green card holder and Columbia University student who was arrested at his own naturalization interview last year.

The U.S. Court of Appeals for the 2nd Circuit found that federal law barred the courts from intervening at that stage of immigration proceedings. "We conclude that the district court should not have reached this question," wrote U.S. Circuit Judge Debra Ann Livingston in the majority opinion.

The ruling reverses a lower court decision that had found the administration was likely targeting Mahdawi for protected speech related to the Israel-Gaza war. Mahdawi had been a prominent voice in pro-Palestinian campus protests at Columbia before plainclothes officers arrested him in April 2025, in Vermont, at what he believed was a routine appointment to finalize his U.S. citizenship.



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Secretary of State Marco Rubio had designated Mahdawi as someone whose presence in the United States "would have potentially serious adverse foreign policy consequences," a legal basis the administration has used to pursue the removal of several foreign student activists.

The Justice Department has also pointed to two separate incidents in pressing for deportation. A gun shop owner in

2015 told police Mahdawi had visited the store and claimed he used to build guns “to kill Jews” while living in Palestine. Mahdawi denies making the statement. Separately, border agents stopped Mahdawi in 2019 and reportedly found LSD, methamphetamine, and mushrooms in his possession. The record was later expunged after he completed a diversion program. Mahdawi denies possessing illegal drugs.

Livingston was joined on the panel by U.S. Circuit Judges William Nardini and Steven Menashi, both nominated by President Trump. The ruling follows a similar January decision from the 3rd Circuit involving Mahmoud Khalil, another Palestinian Columbia student contesting removal.

Mahdawi is not out of options. The court said he may seek judicial review once the immigration system issues him a final order of removal. That order, directing his removal to Jordan, has already been issued, and Mahdawi has filed an appeal with the U.S. Court of Appeals for the 1st Circuit, where the case remains pending.

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