NOT FOR PUBLICATION

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MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

MOZHGAN ASGHARI; ASHKAN HAJI HOSSEINZADEH, Plaintiffs - Appellants, v. MARCO RUBIO, in his official capacity as U.S. Secretary of State; ERIN HOFFMAN, in her official capacity as Acting Director of Screening, Analysis and Coordination, Defendants - Appellees.	No. 25-1101 D.C. No. 2:24-cv-06055-MCS-MAR MEMORANDUM*

Appeal from the United States District Court
for the Central District of California
Mark C. Scarsi, District Judge, Presiding

Submitted October 28, 2026**
Pasadena, California

Before: WARDLAW, R. NELSON, and H.A. THOMAS, Circuit Judges.

Mozghan Asghari and Ashkan Haji Hosseinzadeh (collectively, "Plaintiffs")

* This disposition is not appropriate for publication and is not precedent except as provided by Ninth Circuit Rule 36-3.

** The panel unanimously concludes this case is suitable for decision without oral argument. *See* Fed. R. App. P. 34(a)(2).

appeal the district court's dismissal without prejudice of their suit seeking a writ of mandamus or injunction compelling the State Department to issue a final decision on Hosseinzadeh's application for a nonimmigrant K-1 visa.

"A case becomes moot—and therefore no longer a Case or Controversy for purposes of Article III—when the issues presented are no longer live." *Already, LLC v. Nike, Inc.*, 568 U.S. 85, 91 (2013) (internal quotation marks and citation omitted). During the pendency of this appeal, a consular officer re-adjudicated and denied Hosseinzadeh's visa application.[1] We are therefore powerless to grant the relief Plaintiffs sought.

DISMISSED.

[1] We grant the government's motion to supplement the record, Dkt. No. 48. *See Lowry v. Barnhart*, 329 F.3d 1019, 1024 (9th Cir. 2003) ("Consideration of new facts may even be mandatory . . . when developments render a controversy moot and thus divest us of jurisdiction.").