

United States Court of Appeals
FOR THE DISTRICT OF COLUMBIA CIRCUIT

No. 23-5116

September Term, 2023

1:19-cv-03034-EGS-ZMF

Filed On: May 30, 2024

Andrii Borushevskyi,

Appellant

v.

United States Citizenship and Immigration
Services, et al.,

Appellees

**ON APPEAL FROM THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

BEFORE: Wilkins, Childs, and Pan, Circuit Judges

J U D G M E N T

This appeal was considered on the record from the United States District Court for the District of Columbia and on the briefs filed by the parties. See Fed. R. App. P. 34(a)(2); D.C. Cir. Rule 34(j). It is

ORDERED AND ADJUDGED that the district court's March 27, 2023 order be affirmed. First, appellant has shown no error in the district court's conclusion that the plain language of the regulations at issue confirmed the agency's interpretation of those regulations as requiring him to submit evidence tracing the complete path of his capital investment, and his policy arguments fail because this court "cannot disregard the plain meaning of a regulation based on policy considerations." Zhang v. U.S. Citizenship & Immigr. Servs., 978 F.3d 1314, 1322 (D.C. Cir. 2020). Second, the district court correctly concluded that substantial evidence supported the agency's decision that the evidence submitted by appellant did not trace the complete path of his capital investment.

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Pursuant to D.C. Circuit Rule 36, this disposition will not be published. The Clerk is directed to withhold issuance of the mandate herein until seven days after resolution of any timely petition for rehearing or petition for rehearing en banc. See Fed. R. App. P. 41(b); D.C. Cir. Rule 41.

Per Curiam