UNITED STATES COURT OF APPEALS
FOR THE SECOND CIRCUIT

SUMMARY ORDER

RULINGS BY SUMMARY ORDER DO NOT HAVE PRECEDENTIAL EFFECT. CITATION TO A SUMMARY ORDER FILED ON OR AFTER JANUARY 1, 2007, IS PERMITTED AND IS GOVERNED BY FEDERAL RULE OF APPELLATE PROCEDURE 32.1 AND THIS COURT'S LOCAL RULE 32.1.1. WHEN CITING A SUMMARY ORDER IN A DOCUMENT FILED WITH THIS COURT, A PARTY MUST CITE EITHER THE FEDERAL APPENDIX OR AN ELECTRONIC DATABASE (WITH THE NOTATION "SUMMARY ORDER"). A PARTY CITING TO A SUMMARY ORDER MUST SERVE A COPY OF IT ON ANY PARTY NOT REPRESENTED BY COUNSEL.

At a stated term of the United States Court of Appeals for the Second Circuit, held at the Thurgood Marshall United States Courthouse, 40 Foley Square, in the City of New York, on the 11th day of May, two thousand twenty-six.

PRESENT:

GUIDO CALABRESI,
MICHAEL H. PARK,
MARIA ARAÚJO KAHN,
Circuit Judges.

Nino Tevdorashvili, Joni Jikidze,

Plaintiffs-Appellants,

v. **25-56**

Qatar Airways Group Q.C.S.C.,[*]

Defendant-Appellee.

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[*] The Clerk of Court is respectfully directed to amend the caption accordingly.

FOR PLAINTIFFS-APPELLANTS:	Nino Tevdorashvili, Joni Jikidze, pro se, Forest Hills, NY.
FOR DEFENDANT-APPELLEE:	Judith R. Nemsick, Kelly McNeill, Holland & Knight LLP, New York, NY.

Appeal from a judgment of the United States District Court for the Eastern District of New York (Chen, *J.*).

UPON DUE CONSIDERATION, IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that the judgment of the district court is **AFFIRMED**.

Nino Tevdorashvili and Joni Jikidze, pro se, appeal from the district court's order dismissing their complaint against Qatar Airways Group Q.C.S.C. for lack of personal jurisdiction and insufficient service of process. Plaintiffs commenced this action in state court, alleging that Qatar Airways wrongly denied them boarding and failed to refund them, and that an employee emotionally abused them. After removing the case to federal court, Qatar Airways moved to dismiss the complaint for lack of personal jurisdiction, alleging insufficient service of process under the Foreign Sovereign Immunities Act ("FSIA"), and for failure to state a claim. The district court granted Qatar Airways's motion to dismiss for lack of personal jurisdiction based on insufficient

service, concluding that Qatar Airways was an agency or instrumentality of a foreign state under the FSIA, it was not properly served under the FSIA, and additional time to perfect service would be futile. *Tevdorashvili v. Qatar Airway*, 24-CV-1379 (PKC), 2024 WL 4955260, at *2-5 (E.D.N.Y. Dec. 3, 2024). We assume the parties' familiarity with the underlying facts, the procedural history of the case, and the issues on appeal.

Plaintiffs have abandoned their challenge to the district court's dismissal for lack of personal jurisdiction and insufficient service of process. "Although we accord filings from pro se litigants a high degree of solicitude, even a litigant representing himself is obliged to set out 'identifiable arguments' in his principal brief." *Terry v. Inc. Vill. of Patchogue*, 826 F.3d 631, 632–33 (2d Cir. 2016). "Accordingly, a pro se litigant abandons an issue by failing to address it in the appellate brief." *Green v. Dep't of Educ. of City of New York*, 16 F.4th 1070, 1074 (2d Cir. 2021).

The plaintiffs' opening brief reflects a misunderstanding of the district court's basis for dismissal, characterizing it as a dismissal for lack of evidence. The brief does not raise arguments about the sufficiency of service or whether service defects could have been cured if the plaintiffs were given an opportunity to do so.

For the first time in their reply brief, Plaintiffs state that they intended to challenge the district court's findings regarding service. But "arguments not made in an

appellant's opening brief are waived even if the appellant . . . raised them in a reply brief." *JP Morgan Chase Bank v. Altos Hornos de Mexico, S.A. de C.V.*, 412 F.3d 418, 428 (2d Cir. 2005). In any event, Plaintiffs concede in the reply brief that service was defective. Given their failure to challenge the district court's grounds for dismissing the complaint, that decision is affirmed. *See Green*, 16 F.4th at 1074.

We have considered Plaintiffs' remaining arguments and find them to be without merit. Accordingly, we **AFFIRM** the judgment of the district court.

FOR THE COURT:
Catherine O'Hagan Wolfe, Clerk of Court