

# United States Court of Appeals

FOR THE DISTRICT OF COLUMBIA CIRCUIT

---

**No. 00-7012**

**September Term, 1999**

**98cv01243**

**Filed On: August 16, 2000** [536964]

Willis F. Streater,  
Appellant

v.

Gene R. Johnson,  
Appellee

**BEFORE:** Randolph, Tatel, and Garland, 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. The court has determined that the issues presented occasion no need for an opinion. See Fed. R. App. P. 36; D.C. Cir. Rule 36(b). It is

**ORDERED AND ADJUDGED** that the district court's order filed November 29, 1999, be vacated and the case remanded for further proceedings as to whether there is diversity jurisdiction. First, it is not entirely clear on the record before the court whether appellant and appellee are domiciled in different states. Second, it is not entirely clear that 42 U.S.C. § 1997e(e) applies to appellant's claims.

The Clerk is directed to withhold issuance of the mandate herein until seven days after disposition 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**