

# United States Court of Appeals

FOR THE DISTRICT OF COLUMBIA CIRCUIT

No. 01-5276

September Term, 2001

01cv01464

Filed On: November 23, 2001

[640237]

Barbara Schwarz,  
Appellant

v.

Department of Agriculture, Secretary, et al.,  
Appellees

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Consolidated with 01-5328

## APPEAL FROM THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLUMBIA

**BEFORE:** Rogers and Tatel, Circuit Judges; Williams, Senior Circuit Judge

### 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 appellant's brief. 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 orders filed June 29, 2001 and August 3, 2001 be affirmed substantially for the reasons stated therein. Regarding appellant's contention that the district court judge should be recused because he is biased against her, appellant has failed to allege a valid basis for recusal. See Liteky v. United States, 510 U. S. 540, 555 (1994) (judicial rulings alone almost never constitute a valid basis for a bias or partiality motion); Rafferty v. NYNEX Corp., 60 F.3d 844 (D.C. Cir. 1995) (no bias shown where party failed to offer evidence to support his inferred bias from unfavorable judicial rulings and from court delays).

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