

United States Court of Appeals

FOR THE DISTRICT OF COLUMBIA CIRCUIT

No. 02-5293

September Term, 2002

02cv01280

Filed On: December 6, 2002 [718103]

William J.R. Embrey,
Appellant

v.

George W. Bush, President & All Past Presidents
Involved, et al.,
Appellees

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

BEFORE: Ginsburg, Chief Judge, and Sentelle and Henderson,
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 brief filed by appellant. It is

ORDERED AND ADJUDGED that the district court's order filed August 13, 2002, be affirmed. The district court properly dismissed the complaint inasmuch as all the named defendants are absolutely immune from liability for damages for actions taken in the course of their official capacities. See Clinton v. Jones, 520 U.S. 681 (1997) (absolute immunity for the President of the United States within the scope of any action taken in an official capacity); Mirales v. Waco, 502 U.S. 9 (1991) (absolute immunity for judges from damages for acts committed in their judicial capacities); Nixon v. Fitzgerald, 457 U.S. 731(1982) (absolute immunity for prosecutors performing "quasi-judicial" functions); Dombrowski v. Eastland, 387 U.S. 82 (1967) (same for legitimate legislative activity).

Pursuant to D.C. Circuit Rule 36, this disposition will not be published.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