

# United States Court of Appeals

FOR THE DISTRICT OF COLUMBIA CIRCUIT

**No. 04-5012**

**September Term, 2004**

03cv02085

Filed On: December 29, 2004

[867800]

Theodore T. Miller,  
Appellant

v.

George W. Bush, et al.,  
Appellees

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

**BEFORE:** Ginsburg, Chief Judge, and Randolph and Tatel,  
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. See Fed. R. App. P. 34(a)(2); D.C. Cir. Rule 34(j). It is

**ORDERED AND ADJUDGED** that the district court's dismissal order filed November 21, 2003 be affirmed. Appellant does not allege any personal involvement by the appellees in the misconduct alleged in his complaint, see Cameron v. Thornburgh, 983 F.2d 253, 257-58 (D.C. Cir. 1993), and the United States has not waived sovereign immunity for constitutional torts. See Clark v. Library of Congress, 750 F.2d 89, 102-04 (D.C. Cir. 1984).

Pursuant to D.C. Circuit Rule 36, this disposition will not be published.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