

# United States Court of Appeals

FOR THE DISTRICT OF COLUMBIA CIRCUIT

**No. 05-5035**

**September Term, 2004**

05cv00077

Filed On: September 21, 2005

[919900]

Daniel Tilli,

Appellant

v.

George W. Bush,

Appellee

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

**BEFORE:** Ginsburg, Chief Judge, and Rogers 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 briefs filed by the parties. See Fed. R. App. P. 36; D.C. Cir. Rule 36(b). It is

**ORDERED AND ADJUDGED** that the district court's order, filed January 14, 2005, dismissing appellant's complaint, be affirmed. Because appellant's allegations against the President of the United States fail to identify a sufficient injury in fact or specify a genuine case or controversy, the district court properly dismissed appellant's taxpayer suit for lack of standing. See, e.g., Kurtz v. Baker, 829 F.2d 1133, 1139-41 (D.C. Cir. 1987).

Pursuant to D.C. Circuit Rule 36, this disposition will not be published.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

For the Court:

Mark J. Langer, Clerk

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By: Linda Jones  
Deputy Clerk