

United States Court of Appeals

FOR THE DISTRICT OF COLUMBIA CIRCUIT

No. 05-5355

September Term, 2005

89cv01854

Filed On: August 8, 2006 [984557]

Securities and Exchange Commission,
Appellee

v.

Paul A. Bilzerian,
Appellant

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

BEFORE: Garland, Brown, and Griffith, 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. 34(a)(2); D.C. Cir. Rule 34(j). It is

ORDERED AND ADJUDGED that the district court's order entered August 1, 2005 be affirmed. To the extent appellant is challenging the district court's July 2001 orders barring appellant from commencing any proceeding or filing motions in the United States Bankruptcy Court for the Middle District of Florida, without the prior permission of the district court, that challenge is barred by the law of the case doctrine because this court previously affirmed those orders in SEC v. Bilzerian, 75 Fed. Appx. 3 (D.C. Cir. 2003). See United States v. Alaw, 327 F.3d 1217, 1220 (D.C. Cir. 2003). As for appellant's challenge to the district court's August 1, 2005 denial of his request for permission to file motions and/or other papers in his wife's bankruptcy proceeding in the United States Bankruptcy Court for the Middle District of Florida, the scant and conclusory information that appellant provided to the district court in support of that request did not provide a basis for granting it, particularly in light of appellant's previous attempts to thwart the Securities and Exchange Commission's efforts to collect the disgorgement judgment against him. See, e.g., In re Bilzerian, 258 B.R. 850, 858 (Bankr. M.D. Fla. 2001); see also Christopher v. Harbury, 536 U.S. 403, 415-422 (2002).

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Pursuant to D.C. Circuit Rule 36, this disposition will not be published.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

FOR THE COURT:

Mark J. Langer, Clerk

BY:

Michael C. McGrail
Deputy Clerk/LD