

United States Court of Appeals

FOR THE DISTRICT OF COLUMBIA CIRCUIT

No. 06-5277

September Term, 2006

06cv01548

Filed On: October 30, 2006

[1001216]

Tyrone Hurt,

Appellant

v.

United States of America, et al.,

Appellees

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

BEFORE: Ginsburg, Chief Judge, and Rogers and Kavanaugh, 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 order filed August 31, 2006, be affirmed. The district court properly dismissed the complaint sua sponte under 28 U.S.C. § 1915(e), because the allegations lack an arguable basis either in law or fact. See Nietzke v. Williams, 490 U.S. 319, 325 (1989); Crisafi v. Holland, 655 F.2d 1305 (D.C. Cir. 1981).

Pursuant to D.C. Circuit Rule 36, this disposition will not be published.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