

# United States Court of Appeals

FOR THE DISTRICT OF COLUMBIA CIRCUIT

**No. 06-7099**

**September Term, 2006**

**06cv00863**

**Filed On: October 19, 2006**

[998688]

Larry Ruther,  
Appellant

v.

Auto Nation Inc.,  
Appellee

**BEFORE:** Ginsburg, Chief Judge, and Rogers 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 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 orders filed May 9, 2006, and May 30, 2006, be affirmed. The district court properly dismissed the complaint without prejudice for lack of subject matter jurisdiction, and the district court did not abuse its discretion in denying reconsideration of that order.

Pursuant to D.C. Circuit Rule 36, this disposition will not be published.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