

# United States Court of Appeals

FOR THE DISTRICT OF COLUMBIA CIRCUIT

No. 06-5274

September Term, 2006

06cv00894

Filed On: January 17, 2007

[1016588]

Michael J. McDermott,  
Appellant

v.

Alberto Gonzales, Attorney General, et al.,  
Appellees

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

**BEFORE:** Henderson, 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 order filed May 11, 2006, be affirmed. The district court correctly determined that appellant's constitutional rights are not violated by the city of San Francisco in permitting the annual gay, lesbian, and bisexual parade, see *Hurley v. Irish-American Gay, Lesbian and Bisexual Group of Boston*, 515 U.S. 557 (1995), and that his constitutional rights are not violated by the federal government's decision not to investigate his complaint about the parade. See *Heckler v. Chaney*, 470 U.S. 821, 833 (1985).

Pursuant to D.C. Circuit Rule 36, this disposition will not be published.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