

United States Court of Appeals
FOR THE DISTRICT OF COLUMBIA CIRCUIT

No. 07-5416

September Term 2007

07cv02023

Filed On: April 22, 2008

Victor Bernard Perkins,

Appellant

v.

John D. Ashcroft, Former Attorney General,

Appellee

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

BEFORE: Henderson, 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. It is

ORDERED AND ADJUDGED that the district court's order filed November 8, 2007, be affirmed. Appellant has failed to state a claim under Bivens v. Six Unknown Named Agents of Federal Bureau of Narcotics, 403 U.S. 388 (1971), and, to the extent appellant was attempting to sue the former Attorney General in his official capacity, the action is barred by sovereign immunity, see Clark v. Library of Congress, 750 F.2d 89, 102-04 (D.C. Cir. 1984).

Pursuant to D.C. Circuit Rule 36, this disposition will not be published.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 rehearing en banc. See Fed. R. App. P. 41(b); D.C. Cir. Rule 41.

Per Curiam