

United States Court of Appeals

FOR THE DISTRICT OF COLUMBIA CIRCUIT

No. 08-5100

September Term 2007

1:08-cv-00549-UNA

Filed On: June 16, 2008

Gail Baer,

Appellant

v.

Hansford T. Johnson, Acting Secretary, US
Department of the Navy, et al.,

Appellees

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

BEFORE: Sentelle, Chief Judge, and 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 brief and appendix (styled as a response to the order filed April 22, 2008) 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 March 31, 2008, be affirmed. The district court did not abuse its discretion in dismissing appellant's action without prejudice on the ground that her complaint did not comply with the requirements of Fed. R. Civ. P. 8(a). See *Ciralsky v. CIA*, 355 F.3d 661, 668-71 (D.C. Cir. 2004); see also *Salahuddin v. Cuomo*, 861 F.2d 40, 42 (2d Cir. 1988). The dismissal without prejudice allows appellant to file a new complaint that meets the requirements of Rule 8(a). See *Ciralsky*, 355 F.3d at 669-70.

Pursuant to D.C. Circuit Rule 36, this disposition will not be published.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