

United States Court of Appeals

FOR THE DISTRICT OF COLUMBIA CIRCUIT

No. 08-5184

September Term 2008

1:08-cv-00738-UNA

Filed On: October 29, 2008

Emanuel Brown,

Appellant

v.

Michael B. Mukasey, et al.,

Appellees

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

BEFORE: Sentelle, Chief Judge, and Randolph and Rogers, 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 April 29, 2008, be affirmed. The Attorney General of the United States has absolute discretion in deciding whether to investigate claims for possible civil or criminal prosecution. See Wayte v. U.S., 470 U.S. 598, 607 (1985). Such discretionary decisions are not generally subject to judicial review. See Shoshone-Bannock Tribes v. Reno, 56 F.3d 1476, 1480-81 (D.C. Cir. 1995) (and cases cited therein).

Pursuant to D.C. Circuit Rule 36, this disposition will not be published.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