

United States Court of Appeals
FOR THE DISTRICT OF COLUMBIA CIRCUIT

No. 09-5057

September Term 2008

1:09-cv-00285-UNA

Filed On: September 3, 2009

Kirell Francis Bettis,

Appellant

v.

Timothy F. Geithner, Secretary of the
Treasury, et al.,

Appellees

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

BEFORE: Sentelle, Chief Judge, and Ginsburg and Garland, 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 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 February 12, 2009, be affirmed. The district court properly dismissed the complaint without prejudice as frivolous, pursuant to 28 U.S.C. § 1915(e)(2)(B)(i), because its "factual contentions are clearly baseless." See Neitzke v. Williams, 490 U.S. 319, 327 (1989).

Pursuant to D.C. Circuit Rule 36, this disposition will not be published.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