

# United States Court of Appeals

FOR THE DISTRICT OF COLUMBIA CIRCUIT

No. 08-5064

September Term 2009

1:05-cv-01108

Filed On: June 21, 2010

William Avery, Dr.,

Appellant

v.

United States of America,

Appellee

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

**BEFORE:** Tatel, Griffith, 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 briefs filed by the parties. 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 7, 2008 be affirmed. Appellant does not challenge the court's disposition of his negligence and defamation claims and, even liberally construed, the passages from the complaint cited in his brief do not assert claims for a declaratory judgment or an accounting. See, e.g., Greenhill v. Spellings, 482 F.3d 569, 572-73 (D.C. Cir. 2007).

Pursuant to D.C. Circuit Rule 36, this disposition will not be published.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