

United States Court of Appeals

FOR THE DISTRICT OF COLUMBIA CIRCUIT

No. 10-5006

September Term 2009

1:09-cv-01657-UNA

Filed On: July 21, 2010

Carlos Kidd,

Appellant

v.

Barack Obama, President of the United States
of America and Ben S. Bernanke, Chairman,
Federal Reserve,

Appellees

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

BEFORE: Sentelle, Chief Judge, and Henderson and Tatel, 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 the 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 October 30, 2009, be affirmed. Appellant has not demonstrated that appellees violated the First Amendment by printing the national motto, "In God We Trust," on United States currency. See Van Orden v. Perry, 545 U.S. 677, 699 (2005) (Breyer, J., concurring) (discussing "the Establishment Clause's tolerance ... [of] public references to God on coins"); Elk Grove Unified School Dist. v. Newdow, 542 U.S. 1, 37 (2004) (O'Connor, J., concurring) ("[C]eremonial deism' most clearly encompasses such things as the national motto ('In God We Trust')," whose "history, character, and context prevent them from being constitutional violations at all"); see also Gaylor v. United States, 74 F.3d 214, 217-18 (10th Cir. 1996) ("[T]he statutes establishing 'In God We Trust' as our national motto and providing for its reproduction on United States currency do not violate the Establishment Clause."); Aronow v. United States, 432 F.2d 242, 243 (9th

United States Court of Appeals

FOR THE DISTRICT OF COLUMBIA CIRCUIT

No. 10-5006

September Term 2009

Cir. 1970) (“It is quite obvious that the national motto and slogan on coinage and currency ‘In God We Trust’ has nothing whatsoever to do with the establishment of religion.”).

Pursuant to D.C. Circuit Rule 36, this disposition will not be published.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