

United States Court of Appeals

FOR THE DISTRICT OF COLUMBIA CIRCUIT

No. 10-5137

September Term 2009

1:10-cv-00687-UNA

Filed On: August 9, 2010

Derian Douglas Hickman,

Appellant

v.

United States Department of Defense, et al.,

Appellees

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

BEFORE: Sentelle, Chief Judge, and Rogers 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 May 4, 2010, be affirmed. The district court properly dismissed this case for lack of subject matter jurisdiction, because appellant did not allege an injury sufficient to confer Article III standing. See *Lujan v. Defenders of Wildlife*, 504 U.S. 555, 560-61 (1992) (in order to satisfy "irreducible constitutional minimum of standing," plaintiff must have suffered an injury that is concrete and particularized, and actual and imminent, not conjectural or hypothetical).

Pursuant to D.C. Circuit Rule 36, this disposition will not be published.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

FOR THE COURT:
Mark J. Langer, Clerk

BY: /s/
Michael C. McGrail
Deputy Clerk