

United States Court of Appeals
FOR THE DISTRICT OF COLUMBIA CIRCUIT

No. 15-7068

September Term, 2015

1:15-cv-00841-UNA

Filed On: November 12, 2015

William Hugh Collington, also known as
William Franklin Cave, also known as William
F. Cave,

Appellant

v.

Alfred A. Owens, Sr. and Morris L. Shearin,
Jr.,

Appellees

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

BEFORE: Brown and Srinivasan, Circuit Judges; Ginsburg, Senior Circuit Judge

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). Upon consideration of the foregoing and the motions to appoint counsel, it is

ORDERED that the motions to appoint counsel be denied. In civil cases, appellants are not entitled to appointment of counsel when they have not demonstrated sufficient likelihood of success on the merits. It is

FURTHER ORDERED AND ADJUDGED that the district court's order filed June 8, 2015, be affirmed, but the order is hereby modified to reflect that the dismissal is without prejudice. The district court properly dismissed appellant's complaint for failure to comply with Fed. R. Civ. P. 8(a), which requires "a short and plain statement of the claim showing that the pleader is entitled to relief," in order to "give the defendant fair notice of what the ... claim is and the grounds upon which it rests." Bell Atlantic Corp. v. Twombly, 550 U.S. 544, 555 (2007) (internal quotation marks omitted); see also

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Ciralsky v. CIA, 355 F.3d 661, 668-71 (D.C. Cir. 2004). The dismissal without prejudice allows appellant to file a new complaint that complies with Rule 8(a).

Pursuant to D.C. Circuit Rule 36, this disposition will not be published.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