

United States Court of Appeals
FOR THE DISTRICT OF COLUMBIA CIRCUIT

No. 16-5346

September Term, 2016

1:16-cv-02171-UNA

Filed On: April 18, 2017

Mohammed Abdallah Omran,

Appellant

v.

James B. Comey, et al.,

Appellees

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

BEFORE: Kavanaugh, Millett, and Wilkins, 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 appellant. See Fed. R. App. P. 34(a)(2); D.C. Cir. Rule 34(j). Upon consideration of the foregoing, and the motion to appoint counsel, it is

ORDERED that the motion 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 October 31, 2016 order be affirmed. Appellant's complaint did not set forth sufficient facts to state a plausible claim for relief against any of the individual defendants. See *Ashcroft v. Iqbal*, 556 U.S. 662, 678-83 (2009) (complaint against government officials did not state a claim because it did not contain facts plausibly showing that officials purposefully adopted a discriminatory policy). The facts alleged in the complaint concern government employees who acted in other jurisdictions, not the high-level government officials named as defendants. The complaint did not contain facts plausibly showing that the defendant officials promulgated any unlawful policy or otherwise violated

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appellant's rights. Moreover, because the facts concern events that occurred outside of the District of Columbia, and appellant does not reside here, the District Court for the District of Columbia is not the proper forum for adjudicating appellant's Federal Tort Claims Act claims. See 28 U.S.C. § 1402(b).

Pursuant to D.C. Circuit Rule 36, this disposition will not be published.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