

United States Court of Appeals
FOR THE DISTRICT OF COLUMBIA CIRCUIT

No. 18-5174

September Term, 2018

1:18-cv-00309-UNA

Filed On: December 4, 2018

David Moleski,

Appellant

v.

United States Department of Justice, New
Jersey Div., et al.,

Appellees

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

BEFORE: Tatel and Griffith, Circuit Judges, and Sentelle, 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). It is

ORDERED AND ADJUDGED that the district court's orders filed April 11, 2018, and May 7, 2018, be affirmed. Appellant has not shown that any district judge was biased against him, see *Liteky v. United States*, 510 U.S. 540, 555 (1994), lacked authority to act as an Article III judge, or denied him due process. The district court correctly determined that appellant's damages claims are barred by judicial immunity, see *Stump v. Sparkman*, 435 U.S. 349, 356-57 (1978), or absolute prosecutorial immunity, see *Imbler v. Pachtman*, 424 U.S. 409, 431 (1976). To the extent appellant is challenging his conviction, relief is available, if at all, via a motion under 28 U.S.C. § 2255 in the sentencing court.

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Pursuant to D.C. Circuit Rule 36, this disposition will not be published.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/
Ken Meadows
Deputy Clerk