

United States Court of Appeals
FOR THE DISTRICT OF COLUMBIA CIRCUIT

No. 19-5171

September Term, 2019

1:19-cv-00851-UNA

Filed On: September 17, 2019

John Alfred Regalado,

Appellant

v.

Donald J. Trump, President, In his individual
and official capacity, et al.,

Appellees

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

BEFORE: Tatel and Rao, 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 and supplement 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 abolish all civil rights allegations as well as court motions against Micheal Terry Gordy,” it is

ORDERED that the motion be denied. It is

FURTHER ORDERED AND ADJUDGED that the district court’s April 17, 2019 order be affirmed. The district court correctly concluded that, insofar as appellant sought monetary damages against United States officials in their official capacity, those parties are entitled to sovereign immunity unless that immunity is waived by the Federal Tort Claims Act, 28 U.S.C. §§ 2671-80 (“FTCA”). See *FDIC v. Meyer*, 510 U.S. 471, 475-76 (1994). The district court correctly concluded that appellant failed to demonstrate that he had satisfied the FTCA’s exhaustion requirement before filing his complaint. See 28 U.S.C. § 2675(a); *McNeil v. United States*, 508 U.S. 106, 113 (1993). The court also correctly concluded that the FTCA does not waive the

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government's sovereign immunity for constitutional tort claims, see FDIC v. Meyer, 510 U.S. at 476-79.

Insofar as appellant sought damages against federal judges and judicial officers, the district court correctly concluded that those parties are entitled to absolute immunity for acts taken in their judicial capacity. See, e.g., Mireles v. Waco, 502 U.S. 9, 11-12 (1991); Sindram v. Suda, 986 F.2d 1459, 1460-61 (D.C. Cir. 1993).

Finally, the district court correctly concluded that appellant's complaint, which broadly alleged that high-ranking state and federal officials are complicit in various acts of organized crime and corruption, failed to state a claim for relief that was plausible on its face. See Ashcroft v. Iqbal, 556 U.S. 662, 678 (2009).

Pursuant to D.C. Circuit Rule 36, this disposition will not be published.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/
Daniel J. Reidy
Deputy Clerk