

United States Court of Appeals  
FOR THE DISTRICT OF COLUMBIA CIRCUIT

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No. 19-5149

September Term, 2019

1:19-cv-00956-KBJ

Filed On: December 26, 2019

Dante Lizalde,

Appellant

v.

Martin G. Goldberg, 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 filed by appellant. See Fed. R. App. P. 34(a)(2); D.C. Cir. Rule 34(j). Upon consideration of the foregoing, the motions for reconsideration, and the motion to correct the docket, it is

**ORDERED** that the motion for reconsideration of the September 4, 2019, order denying appellant's motion to exceed the word limit for his merits brief be dismissed as moot. Appellant has submitted a brief which complies with the word limit. See Fed. R. App. P. 32(a)(7). It is

**FURTHER ORDERED** that the motion for reconsideration of the September 4, 2019, order denying appellant's motion for a temporary restraining order be denied. Appellant has not demonstrated that reconsideration is warranted. It is

**FURTHER ORDERED** that the motion to correct the docket be denied. The docket has correctly categorized this appeal with the designation "Prisoner – Civil Rights." Furthermore, this categorization has no practical effect on the resolution of this case. It is

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**FURTHER ORDERED AND ADJUDGED** that the district court’s May 7, 2019, order dismissing appellant’s complaint be affirmed. The district court correctly concluded that the Universal Declaration of Human Rights – a non-binding United Nations resolution – creates no legal obligations or private civil cause of action. See Sosa v. Alvarez-Machain, 542 U.S. 692, 734-35 (2004). The court furthermore correctly concluded that appellant has not demonstrated that his criminal conviction has been invalidated, and his claims for money damages against President Donald Trump and Attorney General William Barr are therefore barred pursuant to Heck v. Humphrey, 512 U.S. 477 (1994). Finally, the district court correctly concluded that the remaining three appellees are not liable for constitutional claims because they are private individuals who did not engage in state action with respect to appellant’s claims. See, e.g., Polk County v. Dodson, 454 U.S. 312, 325 (1981); Sanders v. Murdter, 516 Fed. Appx. 4, 5 (D.C. Cir. 2013).

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