

United States Court of Appeals
FOR THE DISTRICT OF COLUMBIA CIRCUIT

No. 19-5115

September Term, 2019

1:18-cv-02771-UNA

Filed On: February 28, 2020

Raphael Mendez,

Appellant

v.

Donald J. Trump, President of the United
States and House and Senate Judiciary
Committee Members,

Appellees

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

BEFORE: Srinivasan, Chief Judge, Henderson, Circuit Judge, 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 January 18, 2019 order, dismissing appellant’s mandamus petition, be affirmed. The district court correctly concluded that, insofar as appellant sought to challenge his present state of civil confinement, such relief must be pursued through a habeas petition filed in the appropriate district court. See Muhammad v. Close, 540 U.S. 749, 750 (2004) (“Challenges to the validity of any confinement or to particulars affecting its duration are the province of habeas corpus.”); Stokes v. U.S. Parole Comm’n, 374 F.3d 1235, 1239 (D.C. Cir. 2004) (“[A] district court may not entertain a habeas petition involving present physical custody unless the respondent custodian is within its territorial jurisdiction.”). The district court likewise correctly concluded that it lacked authority to authorize appellant to conduct media interviews pursuant to 28 C.F.R. § 540.63(g)(6).

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Pursuant to D.C. Circuit Rule 36, this disposition will not be published.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

Daniel J. Reidy
Deputy Clerk