

United States Court of Appeals
FOR THE DISTRICT OF COLUMBIA CIRCUIT

No. 19-5338

September Term, 2019

1:17-cv-01735-CKK

Filed On: May 29, 2020

Lamar C. Chapman, III, Sacredotalist,
Espistemologist, and ISBC, Ph ESD, in his
Oathful and Duty Bound Public Interest
Capacity, as a Life Tenured, "Inferior Officer"
of the United States of America, as
Authorized by Article II, Section 2, of the
United States Constitution and "Federal
Discoverer", a/k/a Saint Christopher
Chapman, a/k/a Eminence Christophe de la
Mar Chapman,

Appellant

v.

L.R. Heath, Chief Postal Inspector, in his/her
Personal Capacity, et al.,

Appellees

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

BEFORE: Henderson, Wilkins, and Rao, 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 the 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 October 31, 2019 order be affirmed on the ground that appellant's complaint did not meet the requirements of Federal Rule of Civil Procedure 8(a)(2). See Ciralsky v. CIA, 355 F.3d 661, 668–71 (D.C. Cir. 2004). Appellant's argument to the contrary is unavailing. He argues that he was not given notice and an opportunity to be heard on the Rule 8(a) issue. But the dismissal of this case without prejudice left appellant free to file a new complaint that complies with Rule 8(a). See id. And appellant has forfeited any argument that his complaint did in fact raise a claim that complies with Rule 8(a). See, e.g., United States ex rel. Totten v. Bombardier Corp., 380 F.3d 488, 497 (D.C. Cir. 2004).

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Appellant's remaining arguments on appeal are meritless. First, appellant identifies no proper basis for disqualifying the district court judge assigned to this case. See Liteky v. United States, 510 U.S. 540, 555 (1994); In re: Kaminski, 960 F.2d 1062, 1065 n.3 (D.C. Cir. 1992) (per curiam). Second, this court's mandates in appellant's prior appeals did not require the district court on remand to rule again on appellant's motion for a temporary restraining order. In any event, the relief appellant sought in that motion—release from prison—must be pursued through a 28 U.S.C. § 2255 motion. See Rumsfeld v. Padilla, 542 U.S. 426, 443 (2004).

Pursuant to D.C. Circuit Rule 36, this disposition will not be published.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