

United States Court of Appeals
FOR THE DISTRICT OF COLUMBIA CIRCUIT

No. 18-5109

September Term, 2019

1:89-cv-01854-RCL

Filed On: June 24, 2020

Securities and Exchange Commission,

Appellee

v.

Paul A. Bilzerian,

Appellant

Ernest B. Haire,

Appellee

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

BEFORE: Henderson, Griffith, and Katsas, 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 briefs filed by the parties. See Fed. R. App. P. 34(a)(2); D.C. Cir. Rule 34(j). It is

ORDERED AND ADJUDGED that the district court's order filed March 27, 2018, denying appellant's motion for relief from judgment under Federal Rule of Civil Procedure 60(b)(5), be affirmed. The district court did not abuse its discretion in denying appellant's Rule 60(b)(5) motion, because he has not demonstrated "a significant change either in factual conditions or in law" that renders continued enforcement of the filing injunctions entered against him "detrimental to the public interest." Am. Council for the Blind v. Mnuchin, 878 F.3d 360, 366 (D.C. Cir. 2017) (quoting Horne v. Flores, 557 U.S. 433, 447 (2009)). It is

FURTHER ORDERED that appellant's challenge to the district court's order filed March 27, 2018, denying his motion for permission to participate in his wife's bankruptcy case, be dismissed as moot. Appellant has represented that the bankruptcy court decided the issue which gave rise to his motion for permission to participate in March 2018, and, therefore, his appeal of the district court order denying that motion is

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now moot. See McBryde v. Comm. to Review, 264 F.3d 52, 55 (D.C. Cir. 2001) (“If events outrun the controversy such that the court can grant no meaningful relief, the case must be dismissed as moot.”).

Pursuant to D.C. Circuit Rule 36, this disposition will not be published.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