

**United States Court of Appeals**  
FOR THE DISTRICT OF COLUMBIA CIRCUIT

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**No. 20-5213**

**September Term, 2020**

**1:20-cv-01599-UNA**

**Filed On:** December 2, 2020

Stephen Cameron Zyskiewicz,

Appellant

v.

William Pelham Barr, in his official capacity  
as United States Attorney General, et al.,

Appellees

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

**BEFORE:** Millett and Pillard, 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, as well as the motion to proceed on the original record pursuant to Federal Rule of Appellate Procedure 24(c), it is

**ORDERED** that the motion to proceed on the original record be granted. It is

**FURTHER ORDERED AND ADJUDGED** that the district court's June 30, 2020 order dismissing appellant's petition be affirmed. The district court correctly concluded that appellant failed to demonstrate a clear entitlement to the relief requested, that appellant failed to show that the government has a clear duty to alter the controlled substance classification of marijuana, and that appellant has an adequate alternative remedy under the Controlled Substances Act. See Power v. Barnhart, 292 F.3d 781, 784 (D.C. Cir. 2002). Insofar as appellant sought declaratory relief in his petition, he failed to identify any judicially remediable right warranting such relief. See Ali v. Rumsfeld, 649 F.3d 762, 778 (D.C. Cir. 2011).

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Pursuant to D.C. Circuit Rule 36, this disposition will not be published.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