

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

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**No. 21-5303**

**September Term, 2021**

**1:21-cv-03058-UNA**

**Filed On: June 15, 2022**

Jonathan C. Bertanelli,

Appellant

v.

Charlotte A. Burrows, et al.,

Appellees

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

**BEFORE:** Katsas 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 and the emergency motion to seal, the motion to augment the record, and the motion to exceed page limits, it is

**ORDERED** that the emergency motion to seal be granted in part. The Clerk is directed to maintain under seal the motion to seal. The motion is denied in all other respects, as appellant has shown no basis to warrant sealing of these judicial records. See Johnson v. Greater Se. Cmty. Hosp. Corp., 951 F.2d 1268, 1277 (D.C. Cir. 1991) (noting the “strong presumption in favor of public access to judicial proceedings”). It is

**FURTHER ORDERED** that the motion to augment the record be denied. Appellant has not shown that supplementation of the record on appeal is appropriate under Federal Rule of Appellate Procedure 10(e)(2)(C), or that it “would establish beyond any doubt the proper resolution of the pending issues” or is otherwise “in the interests of justice.” Colbert v. Potter, 471 F.3d 158, 166 (D.C. Cir. 2006) (internal citations and quotation marks omitted). It is

**FURTHER ORDERED** that the motion to exceed page limits be granted. It is

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**FURTHER ORDERED AND ADJUDGED** that the district court's November 24, 2021 dismissal order be affirmed. Congress has not authorized, either expressly or impliedly, a cause of action against the Equal Employment Opportunity Commission for challenges to its processing of a claim. See Smith v. Casellas, 119 F.3d 33, 34 (D.C. Cir. 1997) (per curiam).

Pursuant to D.C. Circuit Rule 36, this disposition will not be published.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