

United States Court of Appeals
FOR THE DISTRICT OF COLUMBIA CIRCUIT

No. 21-7121

September Term, 2021

1:19-cv-01929-TSC

Filed On: June 1, 2022

John Gregory Lambros,

Appellant

v.

Federative Republic of Brazil and State of Rio
De Janeiro of the Federative Republic of
Brazil,

Appellees

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

BEFORE: Katsas, Rao, and Walker, 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). Upon consideration of the foregoing and the motion to appoint counsel and the opposition thereto, it is

ORDERED that the motion to appoint counsel be denied. In civil cases, appellants are not entitled to appointment of counsel when they have not demonstrated sufficient likelihood of success on the merits. It is

FURTHER ORDERED AND ADJUDGED that the district court's May 6, 2021 order be affirmed. The district court correctly dismissed this action for lack of subject matter jurisdiction because no exception to immunity under the Foreign Sovereign Immunities Act applies. See 28 U.S.C. §§ 1604, 1605(a)(1), 1605(a)(2); Saudi Arabia v. Nelson, 507 U.S. 349, 355 (1993); Argentine Republic v. Amerada Hess Shipping Corp., 488 U.S. 428, 442-43 (1989). Moreover, appellant has not shown that the district court committed any error in denying the motion to remand and vacating the entry of default.

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Pursuant to D.C. Circuit Rule 36, this disposition will not be published.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