

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

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**No. 22-5106**

**September Term, 2021**

**1:22-cv-00118-UNA**

**Filed On: June 23, 2022**

Andrew U.D. Straw, Esquire,

Appellant

v.

United States of America,

Appellee

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

**BEFORE:** Rao and Walker, 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, the notice in lieu of reply brief, and the Rule 28(j) letter, it is

**ORDERED AND ADJUDGED** that the district court's March 7, 2022 order dismissing the case and April 6, 2022 order denying reconsideration be affirmed. The Federal Tort Claims Act does not waive the United States' sovereign immunity for claims brought by children of servicemen for service-connected injuries. Lombard v. United States, 690 F.2d 215 (D.C. Cir. 1982). Moreover, appellant has not shown any abuse of discretion in the district court's denial of reconsideration. See Smalls v. United States, 471 F.3d 186, 191 (D.C. Cir. 2006). Appellant asks this court to overturn Lombard, but a three-judge panel may not overturn a decision of a prior panel of this court. See La. Pub. Serv. Comm'n v. FERC, 522 F.3d 378, 390 (D.C. Cir. 2008).

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Pursuant to D.C. Circuit Rule 36, this disposition will not be published.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/  
Daniel J. Reidy  
Deputy Clerk