

United States Court of Appeals
FOR THE DISTRICT OF COLUMBIA CIRCUIT

No. 21-7137

September Term, 2021

1:19-cv-03168-APM

Filed On: July 14, 2022

Prince Jones,

Appellant

v.

Todd Perkins, D.C. Metropolitan Police
Department, et al.,

Appellees

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

BEFORE: Henderson, Wilkins, 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). Upon consideration of the foregoing, and the motion to appoint counsel and the supplement 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 order entered on November 8, 2021, denying appellant's motion for relief pursuant to Federal Rule of Civil Procedure 60(b), be affirmed. The notice of appeal is timely only as to that order, as appellant's Rule 60(b) motion was not filed within 28 days of the judgment and thus did not extend the time for appealing the judgment. See Fed. R. App. P. 4(a)(4)(A)(iv). Furthermore, the district court did not abuse its discretion in denying appellant's Rule 60(b) motion, which merely repeated his prior allegations and arguments. See Smalls v. United States, 471 F.3d 186, 191 (D.C. Cir. 2006) (district court's denial of relief

United States Court of Appeals
FOR THE DISTRICT OF COLUMBIA CIRCUIT

No. 21-7137

September Term, 2021

under Rule 60(b) reviewed for abuse of discretion); Kramer v. Gates, 481 F.3d 788, 791-92 (D.C. Cir. 2007) (relief under Rule 60(b)(6) is reserved for “extraordinary circumstances”).

Pursuant to D.C. Circuit Rule 36, this disposition will not be published.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