

# United States Court of Appeals

FOR THE DISTRICT OF COLUMBIA CIRCUIT

**No. 22-7068**

**September Term, 2021**

**1:22-cv-00868-UNA**

**Filed On: August 24, 2022**

Andrew U.D. Straw,

Appellant

v.

Frivolous, Per Federal Law,

Appellee

## **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 Rule 28(j) letters, it is

**ORDERED AND ADJUDGED** that the district court's order filed April 18, 2022, be affirmed. The district court correctly dismissed the complaint without prejudice for lack of subject matter jurisdiction. See *Flast v. Cohen*, 392 U.S. 83, 94 (1968) (“[T]he judicial power of federal courts is constitutionally restricted to ‘cases’ and ‘controversies.’”); Pub. Serv. Elec. & Gas Co. v. FERC, 783 F.3d 1270, 1274 (D.C. Cir. 2015) (“To satisfy the firmly established Article III case or controversy requirement, ‘there must be a live controversy at the time’ we review the case.”).

Pursuant to D.C. Circuit Rule 36, this disposition will not be published.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