

United States Court of Appeals
FOR THE DISTRICT OF COLUMBIA CIRCUIT

No. 22-5181

September Term, 2022

1:22-cv-00346-UNA

Filed On: November 8, 2022

Reginald G. McFadden, also known as Abdul
Ghaffaar Muhammand,

Appellant

v.

Antony J. Blinken, U.S. Sec. of State and
United States Citizenship and Immigration
Services, Director,

Appellees

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

BEFORE: Henderson and Wilkins, 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 motion to proceed in forma pauperis and for appointment of counsel, and the motion for other relief, it is

ORDERED that the motion for appointment of 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 11, 2022 order be affirmed. The district court dismissed appellant's petition for writ of mandamus because, among other reasons, it concluded that the U.S. Citizenship and Immigration Services ("USCIS") does not have a ministerial duty to grant appellant's requests to renounce his U.S. citizenship. Appellant does not challenge this ruling on appeal. Instead, he argues that USCIS had a ministerial duty to respond to his renunciation requests—either by granting or denying them—and that USCIS failed to perform this ministerial duty. However, appellant forfeited this argument by not first raising it in

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district court. See, e.g., Salazar ex rel. Salazar v. District of Columbia, 602 F.3d 431, 436–37 (D.C. Cir. 2010). It is

FURTHER ORDERED that the remaining motions be dismissed as moot.

Pursuant to D.C. Circuit Rule 36, this disposition will not be published.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