

United States Court of Appeals
FOR THE DISTRICT OF COLUMBIA CIRCUIT

No. 23-5024

September Term, 2022

1:22-cv-03742-UNA

Filed On: April 10, 2023

Patrick O. Christian,

Appellant

v.

United States of America, et al.,

Appellees

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

BEFORE: Pillard and Childs, 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). It is

ORDERED AND ADJUDGED that the district court’s January 4, 2023 and January 19, 2023 orders be affirmed. The district court correctly concluded that appellant’s complaint, which lacked an arguable basis either in law or in fact, was frivolous. See Neitzke v. Williams, 490 U.S. 319, 325 (1989); see also 28 U.S.C. § 1915(e)(2)(B)(i) (providing that “the court shall dismiss the case at any time if the court determines that . . . the action or appeal . . . is frivolous or malicious”). And the district court did not abuse its discretion in denying appellant’s motion for post-judgment relief under Federal Rule of Civil Procedure 59(e). See, e.g., Ciralsky v. CIA, 355 F.3d 661, 668 (D.C. Cir. 2004).

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Pursuant to D.C. Circuit Rule 36, this disposition will not be published.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

Michael C. McGrail

Deputy Clerk