

United States Court of Appeals
FOR THE DISTRICT OF COLUMBIA CIRCUIT

No. 23-7021

September Term, 2022

1:23-cv-00321-UNA

Filed On: May 19, 2023

Princess Maria Spencer,
Appellant

v.

Day Services,
Appellee

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

BEFORE: Millett 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). It is

ORDERED AND ADJUDGED that the district court's February 17, 2023 order be affirmed. The district court properly dismissed appellant's case without prejudice for lack of subject matter jurisdiction, because the complaint established neither federal question nor diversity of citizenship jurisdiction. See Fed. R. Civ. P. 12(h)(3); 28 U.S.C. §§ 1331, 1332. Additionally, because appellant did not establish federal jurisdiction, the district court properly denied the motion for a subpoena. See Fed. R. Civ. P. 12(h)(3).

Pursuant to D.C. Circuit Rule 36, this disposition will not be published.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