

United States Court of Appeals
FOR THE DISTRICT OF COLUMBIA CIRCUIT

No. 23-5077

September Term, 2022

1:23-cv-00030-UNA

Filed On: June 16, 2023

Mousen Yisak Adem,

Appellant

v.

United States of America, et al.,

Appellees

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

BEFORE: Millett and Pillard, 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 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 motion for miscellaneous relief, it is

ORDERED AND ADJUDGED that the district court's February 10, 2023, order 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"). It is

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FURTHER ORDERED that the motion for miscellaneous relief 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Pursuant to D.C. Circuit Rule 36, this disposition will not be published.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