

United States Court of Appeals

FOR THE DISTRICT OF COLUMBIA CIRCUIT

No. 23-5048

September Term, 2022

1:22-cv-03805-UNA

Filed On: August 14, 2023

Raj K. Patel, The Excellent the Excellent,
from all capacities,

Appellant

v.

United States, et al.,

Appellees

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

BEFORE: Henderson and Walker, 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 10, 2023 order dismissing appellant’s complaint and civil action with prejudice be affirmed. On appeal, appellant primarily challenges a decision by the U.S. Court of Federal Claims, and the district court’s conclusion that it could not exercise jurisdiction to review that decision. The district court correctly concluded that it lacked jurisdiction to review a decision by the U.S. Court of Federal Claims. See Smalls v. United States, 471 F.3d 186, 192 (D.C. Cir. 2006). In addition, the district court correctly concluded that appellant’s claims against a federal judge were barred by judicial immunity. See Stump v. Sparkman, 435 U.S. 349, 359 (1978). To the extent appellant raised independent claims against the United States, President Joseph R. Biden, and Robert Kiepura, any such claims also arose from the proceedings before the U.S. Court of Federal Claims and have not been preserved for appeal. See Cement Kiln Recycling Coal. v. EPA, 255 F.3d 855, 869 (D.C. Cir. 2001) (“A litigant does not properly raise an issue by addressing it in a cursory fashion with only bare-bones arguments.”) (quotation marks omitted). Lastly, to the extent appellant requests a writ of mandamus, he has not shown a “clear and indisputable right” to mandamus relief. See Gulfstream Aerospace Corp. v. Mayacamas Corp., 485 U.S. 271, 289 (1988).

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Pursuant to D.C. Circuit Rule 36, this disposition will not be published.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

Daniel J. Reidy

Deputy Clerk