

United States Court of Appeals
FOR THE DISTRICT OF COLUMBIA CIRCUIT

No. 23-5130

September Term, 2023

1:23-cv-01054-TSC

Filed On: September 5, 2023

Harold Jean-Baptiste,

Appellant

v.

United States Department of Justice, et al.,

Appellees

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

BEFORE: Henderson, Walker, and Garcia, Circuit Judges

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 obtain Freedom of Information Act data, and motion to proceed on appeal in forma pauperis, it is

ORDERED that the motion to proceed in forma pauperis be dismissed as moot. It is

FURTHER ORDERED that the motion to obtain Freedom of Information Act data be denied because appellant has not shown that he is entitled to the relief sought. It is

FURTHER ORDERED AND ADJUDGED that the district court's May 31, 2023 order be affirmed. The district court correctly concluded that it lacked subject-matter jurisdiction over appellant's amended complaint, which was "patently insubstantial." Tooley v. Napolitano, 586 F.3d 1006, 1009 (D.C. Cir. 2009) (internal quotation marks omitted). Further, appellant's allegations of judicial bias are without merit. See Liteky v. United States, 510 U.S. 540, 555 (1994) ("[J]udicial rulings alone almost never constitute a valid basis for a bias or partiality motion.").

Pursuant to D.C. Circuit Rule 36, this disposition will not be published.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

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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