

**United States Court of Appeals**  
FOR THE DISTRICT OF COLUMBIA CIRCUIT

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**No. 23-5084**

**September Term, 2023**

**1:22-cv-03827-UNA**

**Filed On: January 3, 2024**

Mike Webb, Major, doing business as Friends  
for Mike Webb, doing business as Major Mike  
Webb for Congress, doing business as  
Angels of Liberty, doing business as Major  
Mike Webb for VA,

Appellant

v.

Lloyd J. Austin, III, in official Capacity and  
United States Department of Defense, DOD,

Appellees

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

**BEFORE:** Millett, Pillard, 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). It is

**ORDERED AND ADJUDGED** that the district court’s orders filed January 12, 2023, and April 12, 2023, be affirmed. The district court’s April 12 order appropriately dismissed appellant’s case without prejudice. Appellant does not dispute that he failed to comply with the January 12 order directing him to pay the filing fee or suffer dismissal. Nor did the district court abuse its discretion in denying appellant’s motions for leave to proceed in forma pauperis. See 28 U.S.C. § 1915(a)(1); Ibrahim v. District of Columbia, 208 F.3d 1032, 1036 (D.C. Cir. 2000) (“Leave to file a claim in forma pauperis has always been a matter of grace, a privilege granted in the court’s discretion . . .”).

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Pursuant to D.C. Circuit Rule 36, this disposition will not be published.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