

United States Court of Appeals

FOR THE DISTRICT OF COLUMBIA CIRCUIT

No. 24-7036

September Term, 2023

1:24-cv-00392-UNA

Filed On: June 26, 2024

Tony E. Bell, doing business as Bell and
Company Management and Analytics, LLC,

Appellant

v.

SCF Investments Advisors, Inc. and SCF
Securities, Inc.,

Appellees

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

BEFORE: Wilkins, Childs, and Pan, 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 and the motion to appoint counsel, it is

ORDERED that the motion to appoint counsel be denied. In civil cases, appellants are not entitled to appointment of counsel when they have not demonstrated sufficient likelihood of success on the merits. It is

FURTHER ORDERED AND ADJUDGED that the district court's order entered March 19, 2024, be affirmed. Appellant has not demonstrated that the district court erred by dismissing the 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.

Pursuant to D.C. Circuit Rule 36, this disposition will not be published.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