

United States Court of Appeals

FOR THE DISTRICT OF COLUMBIA CIRCUIT

No. 24-7033

September Term, 2023

1:23-cv-03599-UNA

Filed On: August 2, 2024

Anthony J. Mills,

Appellant

v.

Mary Lou Soller, Esq., et al.,

Appellees

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

BEFORE: Katsas, Rao, and Childs, 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 order entered February 26, 2024, be affirmed. Appellant claims that appellees conspired with a D.C. Superior Court judge to deprive him of his due process rights, which the court construes as arising under 42 U.S.C. § 1983. This claim is based on statements made by appellees during D.C. Superior Court custody proceedings. However, witnesses and parties are immune from damages liability for their testimony in judicial proceedings. See Briscoe v. LaHue, 460 U.S. 325, 330-34 (1983). Moreover, the conclusory allegations in the complaint do not plausibly suggest an agreement to violate appellant's due process rights. See Bell Atl. Corp. v. Twombly, 550 U.S. 544, 556-57 (2007).

Pursuant to D.C. Circuit Rule 36, this disposition will not be published.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