United States Court of Appeals

FOR THE DISTRICT OF COLUMBIA CIRCUIT

No. 23-7179 **September Term, 2024**

1:23-cv-03140-APM

Filed On: October 2, 2024

Edwin L. Rojas, Former U.S. House Representative, California 7th District, Chairman of Plan B Network Services,

Appellant

Plan B Network Services, Inc.,

Appellee

v.

State of Connecticut, et al.,

Appellees

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

BEFORE: Wilkins, Rao, and Walker, 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 briefs filed by the parties. See Fed. R. App. P. 34(a)(2); D.C. Cir. Rule 34(j). Upon consideration of the foregoing, the motion to supplement the record, the motion to add a party, and the motions for an injunction, it is

ORDERED that the motion to supplement the record be denied. Appellant has not shown that supplementation of the record on appeal is appropriate under Federal Rule of Appellate Procedure 10(e)(2)(C). Nor has he shown that supplementation of the record "would establish beyond any doubt the proper resolution of the pending issues" or otherwise would be "in the interests of justice." Colbert v. Potter, 471 F.3d 158, 165-66 (D.C. Cir. 2006) (citations omitted). It is

FURTHER ORDERED that the motion to add a party be denied. Appellant has not shown that "special circumstances" justify adding a party on appeal. See Mullaney v. Anderson, 342 U.S. 415, 416-17 (1952). It is

FURTHER ORDERED that the motions for an injunction be denied. Appellant has not satisfied the stringent requirements for an injunction pending appeal. See

Winter v. Natural Res. Def. Council, Inc., 555 U.S. 7, 20 (2008); D.C. Circuit Handbook of Practice and Internal Procedures 33 (2021). It is

FURTHER ORDERED AND ADJUDGED that the district court's November 8, 2023 order dismissing the case and November 30, 2023 order denying reconsideration be affirmed. The district court correctly concluded that appellant's complaint was frivolous because it lacked an arguable basis either in law or in fact. See Neitzke v. Williams, 490 U.S. 319, 325 (1989); see also 28 U.S.C. § 1915(e)(2)(B)(i) (providing that "the court shall dismiss the case at any time if the court determines that . . . the action or appeal . . . is frivolous or malicious"). Additionally, appellant has not shown that the district court abused its discretion in denying the motion for reconsideration. See Smalls v. United States, 471 F.3d 186, 191 (D.C. Cir. 2006).

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