

United States Court of Appeals
FOR THE DISTRICT OF COLUMBIA CIRCUIT

No. 24-5238

September Term, 2024

1:24-cv-00029-UNA

Filed On: April 7, 2025

David Carmine Lettieri,

Appellant

v.

Federal Marshals,

Appellee

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

BEFORE: Henderson, Millett, 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 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 April 17, 2024 and November 27, 2024 be affirmed. Although the allegations in appellant's complaint were sufficient to constitute a short and plain statement of the grounds for the court's jurisdiction, see Fed. R. Civ. P. 8(a), the district court correctly concluded that the complaint did not set forth "a short and plain statement of the claim showing that the pleader is entitled to relief," which is required in order to "give the defendant fair notice of what the . . . claim is and the grounds upon which it rests," Bell Atl. Corp. v. Twombly, 550 U.S. 544, 555 (2007) (alteration in original) (citation omitted). Moreover, the district court did not abuse its discretion in denying appellant's motion to amend the complaint or reopen the case. See Smalls v. United States, 471 F.3d 186, 191-92 (D.C. Cir. 2006); Hettinga v. United States, 677 F.3d 471, 480 (D.C. Cir. 2012) (per curiam) (district court may deny motion to amend complaint where amendment would be "futile").

Pursuant to D.C. Circuit Rule 36, this disposition will not be published.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