

United States Court of Appeals
FOR THE DISTRICT OF COLUMBIA CIRCUIT

No. 25-5159

September Term, 2025

1:24-cv-02589-UNA

Filed On: September 12, 2025

Donald Jones,

Appellant

v.

Federal Emergency Management Agency
and United States Department of Homeland
Security,

Appellees

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

BEFORE: Henderson, 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 the 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 filed March 11, 2025, be affirmed. The district court dismissed appellant's case pursuant to the discretionary function exception to judicial review contained in the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. § 5148. On appeal, appellant argues only that the Federal Tort Claims Act provides jurisdiction over his claims. However, this skeletal argument was not raised in district court, and is therefore forfeited. See Gov't of Manitoba v. Bernhardt, 923 F.3d 173, 179 (D.C. Cir. 2019) ("A party forfeits an argument by mentioning it only in the most skeletal way." (internal quotation marks and citation omitted)); Keepseagle v. Perdue, 856 F.3d 1039, 1053 (D.C. Cir. 2017) ("It is well settled that issues and legal theories not asserted at the District Court level ordinarily will not be heard on appeal." (internal quotation marks and citation omitted)).

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Pursuant to D.C. Circuit Rule 36, this disposition will not be published.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

Clifton B. Cislak, Clerk

BY: /s/

Daniel J. Reidy

Deputy Clerk