

United States Court of Appeals
FOR THE DISTRICT OF COLUMBIA CIRCUIT

No. 26-5012

September Term, 2025

1:25-cv-01863-UNA

Filed On: August 18, 2026

Jose M. Colon,

Appellant

v.

Donald J. Trump, Sued in their individual an
official capacities, et al.,

Appellees

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

BEFORE: Millett, Wilkins, and Katsas, 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 filed on November 24, 2025, dismissing appellant's complaint be affirmed. The district court correctly concluded that appellant failed to allege a concrete and particularized harm as required to establish standing under Article III of the Constitution. See Lujan v. Defs. of Wildlife, 504 U.S. 555, 560-61 (1992). Insofar as appellant asserts that his alleged history of contracting COVID-19 is such an injury, he has not shown that such an injury is attributable to the conduct complained of in his complaint, or that it would be redressed by the relief sought in the complaint. See West v. Lynch, 845 F.3d 1228,

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1235 (D.C. Cir. 2017).

Pursuant to D.C. Circuit Rule 36, this disposition will not be published.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