

APPENDICES

**APPENDIX A: Mandate and Order of United States Court Of Appeals
For District Of Columbia Circuit (Case No. 18 – 05001)**

United States Court of Appeals
FOR THE DISTRICT OF COLUMBIA CIRCUIT

No. 18-5001

September Term, 2018

1:17-cv-02320-CKK

Filed On: October 10, 2018 [1754438]

Michael S. Bent,

Appellant

v.

Pamela Talkin, In her official capacity as
Marshal of the Supreme Court of the United
States and Jeffrey Smith, In his official
capacity as Chief of Police of the Supreme
Court of the United States,

Appellees

MANDATE

In accordance with the order of August 14, 2018, and pursuant to Federal Rule
of Appellate Procedure 41, this constitutes the formal mandate of this court.

FOR THE COURT:
Mark J. Langer, Clerk

BY: /s/
Ken R. Meadows
Deputy Clerk

Link to the order filed August 14, 2018

United States Court of Appeals
FOR THE DISTRICT OF COLUMBIA CIRCUIT

No. 18-5001

September Term, 2017

1:17-cv-02320-CKK

Filed On: August 14, 2018

Michael S. Bent,

Appellant

v.

Pamela Talkin, In her official capacity as Marshal of the Supreme Court of the United States and Jeffrey Smith, In his official capacity as Chief of Police of the Supreme Court of the United States,

Appellees

BEFORE: Srinivasan, Millett, and Pillard, Circuit Judges

ORDER

Upon consideration of the motion for summary affirmance, the response thereto, and the reply, it is

ORDERED that the motion for summary affirmance be granted. The merits of the parties' positions are so clear as to warrant summary action. See Taxpayers Watchdog, Inc. v. Stanley, 819 F.2d 294, 297 (D.C. Cir. 1987) (per curiam). Appellant's complaint challenges the United States Supreme Court's guidance governing delivery of documents to the Supreme Court Clerk's Office. Because the challenged guidance and requested declaratory and injunctive relief relate to the Supreme Court's filing practices, the district court properly concluded that it lacked authority to enjoin or to order personnel in the Supreme Court Clerk's Office or Supreme Court police officers to take specific action. See In re Marin, 956 F.2d 339, 340 (D.C. Cir. 1992) (per curiam). The district court also did not abuse its discretion when it denied appellant's application for preliminary injunctive relief. See Chaplaincy of Full Gospel Churches v. England, 454 F.3d 290, 297 (D.C. Cir. 2006). The district court properly determined that appellant's speculative assertion that his filings would be tampered with did not demonstrate irreparable injury. See id.

United States Court of Appeals
FOR THE DISTRICT OF COLUMBIA CIRCUIT

No. 18-5001

September Term, 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