

United States Court of Appeals
FOR THE DISTRICT OF COLUMBIA CIRCUIT

No. 18-7022

September Term, 2018

1:18-cv-00060-UNA

Filed On: January 16, 2019

In re: Parviz Karim-Panahi,

Petitioner

BEFORE: Garland, Chief Judge, and Henderson, Rogers, Tatel, Griffith, Srinivasan, Millett, Pillard, Wilkins, and Katsas, Circuit Judges, and Sentelle, Senior Circuit Judge

ORDER

Upon consideration of the petition for rehearing en banc and the supplement thereto, and the absence of a request by any member of the court for a vote, it is

ORDERED that the petition be denied.

Per Curiam

FOR THE COURT:
Mark J. Langer, Clerk

BY: /s/
Ken Meadows
Deputy Clerk

United States Court of Appeals
FOR THE DISTRICT OF COLUMBIA CIRCUIT

No. 18-7022

September Term, 2018

1:18-cv-00060-UNA

Filed On: January 16, 2019

In re: Parviz Karim-Panahi,

Petitioner

BEFORE: Wilkins and Katsas, Circuit Judges, and Sentelle, Senior Circuit Judge

ORDER

Upon consideration of the petition for rehearing and the supplement thereto, it is

ORDERED that the petition be denied.

Per Curiam

FOR THE COURT:
Mark J. Langer, Clerk

BY: /s/
Ken Meadows
Deputy Clerk

United States Court of Appeals
FOR THE DISTRICT OF COLUMBIA CIRCUIT

No. 18-7022

September Term, 2017

1:18-cv-00060-UNA

Filed On: June 22, 2018

In re: Parviz Karim-Panahi,

Petitioner

BEFORE: Wilkins and Katsas, Circuit Judges; Sentelle, Senior Circuit Judge

ORDER

Upon consideration of the notice of appeal, which has been construed as a petition for a writ of mandamus containing a motion to reopen, the memorandum of law in support thereof, the motion to appoint counsel, and the motion for leave to proceed in forma pauperis, it is

ORDERED that the motion for leave to proceed in forma pauperis be granted. It is

FURTHER ORDERED that the motion to appoint counsel be denied. In civil cases, petitioners are not entitled to appointment of counsel when they have not demonstrated sufficient likelihood of success on the merits. It is

FURTHER ORDERED that the petition for a writ of mandamus be dismissed in part and denied in part. To the extent petitioner challenges the order remanding his case to Superior Court, the petition is dismissed. Because the district court remanded petitioner's case for lack of subject matter jurisdiction, this court is prohibited from reviewing the remand order. See 28 U.S.C. § 1447(d); Powerex Corp. v. Reliant Energy Servs., Inc., 551 U.S. 224, 232-34 (2007); Republic of Venezuela v. Philip Morris Inc., 287 F.3d 192, 196-97 (D.C. Cir. 2002). To the extent petitioner seeks to reopen his prior legal actions and appeals, petitioner has set forth no basis for such relief, and the petition is denied. See Gulfstream Aerospace Corp. v. Mayacamas Corp., 485 U.S. 271, 289 (1988).

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

Per Curiam

FOR THE COURT:
Mark J. Langer, Clerk

BY: /s/
Robert J. Cavello
Deputy Clerk

پرویز کریم پناہی

PARVIZ KARIM-PANAHI, in pro-se
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Leave to file DENIED

14976 Order 2/27/18

United States District Judge

See Jan. 24, 2018 Order,

Case is closed and no

Appeal.

Before the:

UNITED STATES DISTRICT COURT for
The DISTRICT OF COLUMBIA
(333 Constitution Avenue, N.W., Washington DC 20001)

Removed From:

Superior Court of the District of Columbia
(500 Indiana Avenue, N.W., Washington , D.C. 20530)

Parviz KARIM-PANAHI, Plaintiff;
-Vs.-

- District of Columbia Government;
(Mayors, Council Members, since 1993)
- Mayor Muriel BOWSER;
- District Council Members;
- Metropolitan Police Department;
- Tommie Jones, Mayor's Office of
Community Relations Services director;
- Department of Motor Vehicles/ DMV;
- Lucinda M. BABERS, DMV director;
- David Glasser, general counsel;
- Tiara Graham, legal assistant
- Gregory FURR, Manager;
- Jane SEON, Supervisor;
- Adrian J. POLITE, Manager;
- Michael P. Kelly, former DCHA director;
- Riva Graham-Anderson, dcha manager;
- WMATA/ (Washington Metropolitan
Area Transit Authority);
- District of Columbia Attorney General(s);
- U.S. Attorney(s) for D.C.;
- District of Columbia Courts/ Judges;
- 100 Unknown officials, employees,
collaborators; et al.

Defendants.

Case No.: 2018-CV-00060-
(To Be Docketed Assigned)

Correction of
Inadvertence/ Omission of Filed:

“NOTICE OF REMOVAL OF”:

Case No.:

2017-CA-007093-RRR

From:
the District of Columbia
Superior Court/ (State Court)
To:
United States District Court for the
District of Columbia/(Federal Ct.)

RECEIVED

JAN 26 2018

Clerk, U.S. District & Bankruptcy
Courts for the District of Columbia

United States Court of Appeals
FOR THE DISTRICT OF COLUMBIA CIRCUIT

No. 18-7022

September Term, 2017

1:18-cv-00060-UNA

Filed On: February 9, 2018 [1717337]

In re: Parviz Karim-Panahi,

Petitioner

ORDER

Petitioner's recently filed notice of appeal has been transmitted to this court from the U.S. District Court for the District of Columbia. The notice seeks review of an order of the district court transferring petitioner's civil action to another district court. The proper means for contesting such a transfer is a petition for writ of mandamus filed in this court. See D.C. Circuit Handbook of Practice and Internal Procedure 19 (2017). Accordingly, it is, on the court's own motion,

ORDERED that petitioner's notice of appeal be construed as a petition for writ of mandamus. It is

FURTHER ORDERED that by March 12, 2018, petitioner submit a memorandum of law and fact in support of the petition. The memorandum may not exceed the length limitations established by Fed. R. App. P. 21(d) (7,800 words if produced using a computer; 30 pages if handwritten or typewritten). Failure by petitioner to comply with this order will result in dismissal of the petition for lack of prosecution. See D.C. Cir. Rule 38. It is

FURTHER ORDERED, on the court's own motion, that by March 12, 2018, petitioner either pay the \$500 docketing fee to the Clerk, U.S. Court of Appeals for the District of Columbia Circuit, or file with this court a motion for leave to proceed on appeal in forma pauperis. See Attachment.

The Clerk is directed to transmit this order to the Clerk of the District Court as a request to delay transfer of that court's case until disposition of the petition by this court. The Clerk is further directed to send a copy of this order to petitioner by certified mail, return receipt requested, and by first class mail.

FOR THE COURT:
Mark J. Langer, Clerk

BY: /s/
Laura M. Chipley
Deputy Clerk

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

FILED

JAN 24 2018

PARVIZ KARIM-PANAHI,

Clerk, U.S. District & Bankruptcy
Courts for the District of Columbia

Plaintiff,

v.

Civil Action No. 18-0060 (UNA)

DISTRICT OF COLUMBIA
GOVERNMENT, *et al.*,

Defendants.

ORDER

This matter is before the Court on consideration of the plaintiff's application to proceed *in forma pauperis* and his *pro se* pleading titled "Notice of Removal of Case No. 2017-CA-007093-RRR."

Generally, a defendant in a civil action brought in a State court may remove the action to a federal district court if the action is one over which the federal district courts have original jurisdiction. 28 U.S.C. § 1441(a). Federal district courts have jurisdiction in civil actions arising under the Constitution, laws or treaties of the United States, *see* 28 U.S.C. § 1331, and over civil actions where the matter in controversy exceeds \$75,000, and the suit is between citizens of different states, *see* 28 U.S.C. § 1332(a). The Superior Court of the District of Columbia is considered a State court for purposes of the removal statute. 28 U.S.C. § 1451(1).

It appears that the plaintiff has filed a civil suit in the Superior Court of the District of Columbia against many of the defendants named in this case. For reasons that the plaintiff does not articulate clearly, he purports to remove the suit to this federal district court. The Court carefully has reviewed the plaintiff's submissions, and concludes that remand to the Superior Court is appropriate for two reasons. First, only a defendant may remove a civil action under 28

U.S.C. § 1441(a); the plaintiff cannot. Second, notwithstanding the plaintiff's citations to various federal statutes and constitutional provisions, *see, e.g.*, Notice at 7, it does not appear that and federal question jurisdiction or diversity jurisdiction exists.

It is hereby

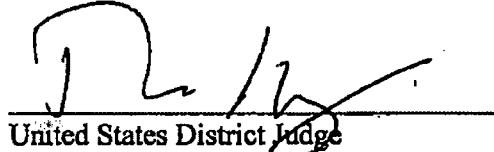
ORDERED that the plaintiff's application to proceed *in forma pauperis* [2] is GRANTED; it is

FURTHER ORDERED that this matter is REMANDED FORTHWITH to the Superior Court of the District of Columbia.

The Clerk of Court shall close this case.

SO ORDERED.

DATE: January 24, 2018



United States District Judge