United States Court of Appeals

FOR THE DISTRICT OF COLUMBIA CIRCUIT

No. 19-5211 **September Term, 2019**

1:18-cv-02339-CKK

Filed On: February 13, 2020

Akube Wuromoni Ndoromo, also known as Akiuber Ndoromo James,

Appellant

v.

William Pelham Barr, U.S. Attorney General and Jessie Kong Liu, U.S. Attorney for the District of Columbia,

Appellees

BEFORE: Tatel, Millett, and Pillard, Circuit Judges

ORDER

Upon consideration of appellant's brief and appendix, the motion for summary reversal, the opposition and cross-motion for summary affirmance, the court's November 21, 2019 order to show cause, and the response to the motion for summary affirmance, it is

ORDERED that the order to show cause be discharged. It is

FURTHER ORDERED that the motion for summary reversal be denied and 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). The district court correctly concluded that appellant failed to state a claim for which relief may be granted. See Fed. R. Civ. P. 12(b)(6).

This court has already held that appellant's "underlying criminal convictions collaterally estop him from arguing that he did not commit the offenses and that his funds and vehicles lacked the requisite nexus to those offenses." United States v. $455,273.72, No. 11-5327 (D.C. Cir. March 7, 2012) (per curiam). To the extent appellant's claim for damages rests on his assertion that his criminal conviction violated his constitutional rights, those claims are barred by Heck v. Humphrey, 512 U.S. 477 (1994).

The district court also correctly held that appellant failed to state a claim under the False Claims Act, 31 U.S.C. § 3729, et seq. See, e.g., U.S. ex rel. Totten v. Bombardier Corp., 286 F.3d 542, 545 (D.C. Cir. 2002) (describing the False Claims Act's purpose as "protecting federal funds from fraud").

Pursuant to D.C. Circuit Rule 36, this disposition will not be published.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

APPENDIX B

The Opinion of the United States District Court

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

AKUBE WUROMONI NDOROMO,
Plaintiff
v.
WILLIAM BARR[1], *et al.*,
Defendants

Civil Action No. 18-2339 (CKK)

ORDER
(July 2, 2019)

For the reasons set forth in the accompanying Memorandum Opinion, it is, this 2nd day of July, 2019, hereby

ORDERED that Defendants' [9] Motion to Dismiss is **GRANTED**. It is further

ORDERED that this case is **DISMISSED**.

This is a final appealable Order.

The Clerk of the Court shall mail a copy of this Order to Plaintiff at his address of record.

SO ORDERED.

/s/
COLLEEN KOLLAR-KOTELLY
United States District Judge

[1] Pursuant to Fed. R. Civ. P. 25(d), William Barr is substituted in his official capacity as United States Attorney General.

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

AKUBE WUROMONI NDOROMO,
Plaintiff

v.

WILLIAM BARR[1], *et al.*,
Defendants

Civil Action No. 18-2339 (CKK)

MEMORANDUM OPINION
(July 2, 2019)

Pro se Plaintiff Akube Ndoromo brings this lawsuit against Defendants the United States Attorney General and the United States Attorney General for the District of Columbia requesting "restitution of his funds, and damages, worth $90,232,812.71." Compl., ECF No. 1, 12. Plaintiff's Complaint is disjointed and difficult to understand; but, as the Court reads it, Plaintiff appears to state three claims for relief. First, Plaintiff alleges that a 2008 forfeiture order in a criminal matter resulted in the illegal seizure of his funds and property. Second, Plaintiff attacks the 2007 jury verdict in that same criminal matter which found him guilty of multiple counts of false statements, money laundering, and fraud. Third, Plaintiff contends that the government violated the False Claims Act. Defendants have moved for the dismissal of all of Plaintiff's claims. Upon consideration of the pleadings,[2] the relevant legal authorities, and the record as a

[1] Pursuant to Fed. R. Civ. P. 25(d), William Barr is substituted in his official capacity as United States Attorney General.

[2] The Court's consideration has focused on the following documents:

- Defs.' Mot. to Dismiss Pl.'s Compl. ("Defs.' Mot."), ECF No. 9;
- Pl.'s Dispositive Respond to Defs.' False Claim and Seeking for Reinstitution of his Funds, Damages, Worth $90,232,812.72, and Penalty of Not More than $25,000.00, a Day for Each One of the Seven Accounts Since the Seizure Dec. 21-22, 2004, Until the

whole, the Court will GRANT Defendants' Motion to Dismiss as Plaintiff has failed to state a plausible claim for which relief may be granted.

I. BACKGROUND

For the purposes of the motion before the Court, the Court accepts as true the well-pled allegations in Plaintiff's Complaint. The Court does "not accept as true, however, the plaintiff's legal conclusions or inferences that are unsupported by the facts alleged." *Ralls Corp. v. Comm. on Foreign Inv. in the United States*, 758 F.3d 296, 315 (D.C. Cir. 2014). Further, because Plaintiff proceeds in this matter pro se, the Court must consider not only the facts alleged in Plaintiff's Complaint, but also the facts alleged in Plaintiff's Opposition to Defendants' Motion to Dismiss. *See Brown v. Whole Foods Mkt. Grp., Inc.*, 789 F.3d 146, 152 (D.C. Cir. 2015) ("a district court errs in failing to consider a pro se litigant's complaint 'in light of' all filings, including filings responsive to a motion to dismiss") (quoting *Richardson v. United States*, 193 F.3d 545, 548 (D.C. Cir. 1999)); *Fillmore v. AT & T Mobility Servs. LLC*, 140 F. Supp. 3d 1, 2 (D.D.C. 2015) ("the Court, as it must in a case brought by a pro se plaintiff, considers the facts as alleged in both the Complaint and Plaintiff's Opposition to Defendant's Motion to Dismiss."). The Court recites only the background necessary for the Court's resolution of the pending Motion to Dismiss.

Plaintiff's allegations appear to stem from the seizure of Plaintiff's funds and other property which resulted from a guilty verdict in the criminal matter, *United States v. James*, Case

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Day Will be Paid and Speedy Trial of Sixth Am. for July Trial of Seven Am. ("Pl.'s Opp'n"), ECF No. 11; and

- Defs.' Reply to Pl.'s Opp'n and in Further Support of Mot. to Dismiss Pl.'s Compl. ("Defs.' Reply"), ECF No. 12.

In an exercise of its discretion, the Court finds that holding oral argument in this action would not be of assistance in rendering a decision. *See* LCvR 7(f).

No. 6-cr-19-EGS. In 2006, a federal grand jury returned a Superseding Indictment charging Plaintiff with multiple counts of healthcare fraud, false statements, and money laundering. *James*, Case No. 6-cr-19-EGS, ECF No. 3. The Superseding Indictment included a forfeiture allegation. *Id.* at 13-15. On March 30, 2007, a jury found Plaintiff guilty of one count of healthcare fraud, 11 counts of false statements related to healthcare matters, and eight counts of money laundering. *Id.* at ECF No. 37. The jury further returned a Special Verdict, finding that $1,856,812.71 and two vehicles represented property derived from or proceeds traceable to Plaintiff's criminal acts. *Id.* at ECF No. 41.

In 2008, Plaintiff was sentenced to 57 months of incarceration and 36 months of supervised release and was ordered to pay $1,856,812.71 in restitution. *Id.* at ECF No. 117. At sentencing, the judge indicated that the forfeiture of $1,856,812.71 and two vehicles were included as part of Plaintiff's sentence. *Id.* at ECF No. 152 at 2. Accordingly, on December 30, 2008, the court issued two final Orders of Forfeiture to that effect. *Id.* at ECF No. 122 (as to funds), 123 (as to vehicles).

Following the resolution of Plaintiff's criminal matter, the government continued its pursuit of the forfeiture of Plaintiff's funds and property in the civil forfeiture matter, *United States v. $455,273.72*, Case No. 5-cv-356-EGS. And, in 2011, the court granted the government summary judgment. The court explained that, because Plaintiff's conviction in his criminal case was based on the same facts as the civil forfeiture matter, Plaintiff's funds and property were subject to forfeiture as the proceeds of an unlawful activity. *$455,273.72*, Case No. 5-cv-356-EGS, ECF No. 73, 12-16.

Since that time, Plaintiff has filed appeals and otherwise attacked the results of his criminal and civil forfeiture matters. On October 10, 2018, Plaintiff filed this lawsuit. As the

Court interprets Plaintiff's Complaint, Plaintiff brings three claims against Defendants: (1) Plaintiff's property was improperly seized; (2) Plaintiff's guilty verdict in his criminal matter should be overturned; and (3) the Government violated the False Claims Act. *See* Compl., ECF No. 1. Defendants have moved to dismiss Plaintiff's Complaint in its entirety. *See* Defs.' Mot., ECF No. 9. That Motion is currently before the Court.

II. LEGAL STANDARD

Defendants move to dismiss Plaintiff's Amended Complaint under Federal Rule of Civil Procedure 12(b)(6). According to Rule 12(b)(6), a party may move to dismiss a complaint on the grounds that it "fail[s] to state a claim upon which relief can be granted." Fed. R. Civ. P. 12(b)(6). "[A] complaint [does not] suffice if it tenders 'naked assertion[s]' devoid of 'further factual enhancement.'" *Ashcroft v. Iqbal*, 556 U.S. 662, 678 (2009) (quoting *Bell Atl. Corp. v. Twombly*, 550 U.S. 544, 557 (2007)). Rather, a complaint must contain sufficient factual allegations that, if accepted as true, "state a claim to relief that is plausible on its face." *Twombly*, 550 U.S. at 570. "A claim has facial plausibility when the plaintiff pleads factual content that allows the court to draw the reasonable inference that the defendant is liable for the misconduct alleged." *Iqbal*, 556 U.S. at 678.[3]

III. DISCUSSION

In their Reply, Defendants note that Plaintiff's Opposition fails to address any of the arguments set forth in Defendants' Motion to Dismiss. Defs.' Reply, ECF No. 12, 2. Instead, Plaintiff merely recites seemingly random facts and legal conclusions unrelated to the arguments

[3] Alternatively, Defendants request dismissal under Federal Rule of Civil Procedure 12(b)(1) for lack of subject matter jurisdiction because Plaintiff's Complaint is patently insubstantial. However, the Court need to address this grounds for dismissal as the Court concludes that the matter should be dismissed for failure to state a claim under Rule 12(b)(6).

in Defendants' Motion. The Court agrees that Plaintiff's Opposition is wholly unresponsive to Defendants' Motion.

Because Plaintiff failed to respond to Defendants' arguments, Defendants ask the court to treat their arguments as conceded by Plaintiff and to dismiss this case. *See Lockhart v. Coastal Int'l Sec., Inc.*, 905 F. Supp. 2d 105, 118 (D.D.C. 2012) (explaining that the law is "well-settled in this jurisdiction that when a plaintiff files a response to a motion to dismiss but fails to address certain arguments made by the defendant, the court may treat those arguments as conceded, even when the result is dismissal of the entire case" (internal quotation marks omitted)). However, the Court's ability to treat arguments as conceded based merely on Plaintiff's inadequate Opposition appears to be more limited that Defendants imply. In *Washington Alliance of Technology Workers v. United States Department of Homeland Security*, 892 F.3d 332 (D.C. Cir. 2018), the United States Court of Appeals for the District of Columbia Circuit ("D.C. Circuit") explained that a district court should not treat arguments in a motion to dismiss as conceded if the plaintiff files a timely response in opposition to the defendant's motion to dismiss. 892 F.3d at 344. Instead, "a party may rest on its complaint in the face of a motion to dismiss if the complaint itself adequately states a plausible claim for relief." *Id.* at 345. As such, the Court's analysis will focus on whether or not Plaintiff's Complaint states a "plausible" claim for relief. The court finds that it does not. As such, dismissal is appropriate. *See Golden v. Management & Training Corp.*, 319 F. Supp. 3d 358, 377-78 (D.D.C. 2018) (evaluating whether the plaintiff "has stated a plausible claim" despite the plaintiff's non-responsive opposition to the defendants' motion to dismiss).

A. Collateral Attack on Forfeiture

First, Plaintiff argues throughout his Complaint that the government improperly seized his funds and property as a result of the forfeiture orders in *James*, Case No. 6-cr-19-EGS and

the grant of summary judgment in *$455,273.72*, Case No. 5-cv-356-EGS. But, Plaintiff cannot collaterally attack another court's grant of forfeiture through a civil complaint in this Court. *See 37 Associates, Trustee for the 37 Forrester Street, SW Trust v. REO Const. Consultants, Inc.*, 409 F. supp. 2d 10, 14 (D.D.C. 2006) (explaining that an in rem forfeiture "is not subject to collateral attack in any other court"); *Roberts v. United States*, 141 F.3d 1468, 1471 (11th Cir. 1998) (explaining that the plaintiff could not file a separate civil suit to collaterally attack the injunctions issued by a court in a criminal forfeiture case).

Moreover, the Court notes that Plaintiff's attacks on the forfeiture of his funds and property are specious. As the D.C. Circuit noted when summarily affirming the district court's forfeiture order, "[Plaintiff's] underlying criminal convictions collaterally estop him from arguing that he did not commit the offenses and that his funds and vehicles lacked the requisite nexus to those offenses." *United States v. $455,273.72*, Case No. 11-5327 (D.C. Cir), March 7, 2012 Order, 1 (citing *Emich Motors Corp. v. General Motors Corp.*, 340 U.S. 558, 568 (1951) ("[I]t is well established that a prior criminal conviction may work an estoppel in favor of the Government in a subsequent civil proceeding."). Additionally, the D.C. Circuit explained that "'civil forfeiture does not constitute punishment for the purpose of the Double Jeopardy Clause.'" *Id.* at 2 (quoting *United States v. Ursery*, 518 U.S. 267, 287 (1996)). For these reasons, the Court concludes that Plaintiff's claim collaterally attacking the forfeiture of his funds and property, as ordered by another court, does not state a plausible claim for relief.

B. Collateral Attack on Guilty Verdict

Next, Plaintiff attempts to attack the 2007 guilty verdict in his criminal case, *James*, Case No. 6-cr-19-EGS. Plaintiff appears to allege that the Government's witnesses cleared him of wrongdoing and that the indictment was in some way insufficient. However, a plaintiff cannot

collaterally attack his conviction in another court by filing a civil complaint with this Court. *See 37 Associates*, 409 F. Supp. 2d at 14 (explaining that a "second action ... is a collateral attack if, in some fashion, it would overrule a previous judgment" (internal quotation marks omitted)). Plaintiff's remedies "are found in 28 U.S.C. § 2255 or the appellate process," not in this Court. *Stone v. Holder*, 859 F. Supp. 2d 48, 53 (D.D.C. 2012). While it appears that Plaintiff did not appeal his criminal conviction, he did file a § 2255 which was denied as untimely. *See James*, Case No. 6-cr-19-EGS, Feb. 2, 2012 Minute Order. Additionally, Plaintiff filed an appeal in his civil forfeiture matter, relating to similar issues, which was summarily denied. *United States v. $455,273.72*, Case No. 11-5327 (D.C. Cir), March 7, 2012 Order. The Court further notes that it is irrelevant that Plaintiff is attacking his guilty verdict for the purposes of invalidating the forfeiture of his funds and property. Even "'where [a] second action has an independent purpose and contemplates some other relief, it is [nonetheless] a collateral attack if, in some fashion, it would overrule a previous judgment.'" *Stone v. Lynch*, 174 F. Supp. 3d 291, 294 (D.D.C. 2016) (quoting *37 Associates*, 409 F. Supp. 2d at 14). Accordingly, the Court concludes that Plaintiff's claim collaterally attacking his guilty verdict does not state a plausible claim for relief.

C. False Claims Act Against the Government

Finally, Plaintiff appears to allege a False Claims Act violation against the government. Plaintiff states that the government "committed False Claim Act against the American people of their funds and properties," and that "[t]he presiding judge had judicial power to correct the error, but chose to support the Government of their robberies." Compl., ECF No. 1, 9. Plaintiff appears to misunderstand the nature of the False Claims Act, 31 U.S.C. § 3729. The purpose of the False Claims Act "is to prevent the commission of fraud against the federal government and to provide for the restitution of money that was taken from the federal government by fraudulent

means." *United States v. Satory Global, Inc.*, 946 F. Supp. 2d 69, 80 (D.D.C. 2013) (internal quotation marks omitted). Because the False Claims Act is meant to ensure that funds are not falsely taken from the government, the Court concludes that Plaintiff cannot use the Act to allege that the government has falsely taken funds from him. Plaintiff cites no case in which a court has allowed the False Claims Act to be used in this way. Accordingly, the Court concludes that Plaintiff's allegations under the False Claims Act do not state a plausible claim for relief.

IV. CONCLUSION

For the foregoing reasons, the Court GRANTS Defendants' [9] Motion to Dismiss. Reading Plaintiff's Complaint and Opposition to Defendants' Motion to Dismiss in the light most favorable to him, Plaintiff has failed to allege any facts which state a plausible claim for relief.

An appropriate Order accompanies this Memorandum Opinion. The Clerk of the Court shall mail a copy of this Memorandum Opinion to Plaintiff at his address of record.

/s/
COLLEEN KOLLAR-KOTELLY
United States District Judge

APPENDIX C

The Opinion of the Highest State Court to review the merits

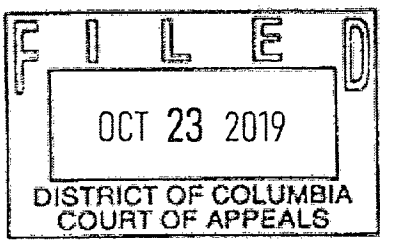
DISTRICT OF COLUMBIA COURT OF APPEALS

No. 18-CV-946

AKUBE W. NDOROMO, APPELLANT,

v.

HONORABLE JEFF SESSIONS, ET AL., APPELLEES.



Appeal from the Superior Court
of the District of Columbia
(CAB-3602-18)

(Hon. Anthony C. Epstein, Trial Judge)

(Submitted October 15, 2019 Decided October 23, 2019)

Before GLICKMAN, FISHER, and MCLEESE, *Associate Judges*.

MEMORANDUM OPINION AND JUDGMENT

PER CURIAM: Akube W. Ndoromo appeals the dismissal of his *pro se* complaint against five former Attorneys General of the United States. The complaint seeks "restitution" of over $90 million for fraud and other tortious conduct allegedly committed against Mr. Ndoromo over a decade ago by federal prosecutors and judges in criminal and asset forfeiture proceedings. The Superior Court dismissed the complaint as to all defendants for insufficient service of process and for failure to state a claim upon which relief could be granted. Without reaching the question of service, we affirm the dismissal of the complaint on the latter ground or – if the complaint may be read as asserting claims against any defendant in his official capacity – for lack of jurisdiction.

The complaint does not specify whether Mr. Ndoromo sues the named defendants in their personal or their official capacities.[1] Nor does it specify

[1] The latter is a possibility because one of the named defendants, Mr. Sessions, was the Attorney General of the United States when the complaint was filed (and when it was dismissed). The complaint identifies the other defendants

(continued...)

whether the underlying causes of action are for constitutional or state law torts. (The complaint does not purport to identify any federal statutory tort, so we do not address that possibility.) We therefore proceed on the premise that the complaint can be read to assert both personal- and official-capacity claims, for both constitutional and state law torts.

The complaint fails to state a claim of any kind against the named defendants in their personal capacities. Appellate review of the dismissal for failure to state a claim is *de novo*.[2] Under Super. Ct. Civ. R. 8(a)(2), "[a] pleading that states a claim for relief must contain . . . a short and plain statement of the claim showing that the pleader is entitled to relief." This requires "more than an unadorned, the-defendant-unlawfully-harmed-me accusation."[3] To pass muster, a claim must be "plausible on its face," which means the pleading must contain "factual content that allows the court to draw the reasonable inference that *the defendant* is liable for the misconduct alleged."[4]

Appellant's complaint does not satisfy this minimal standard. Most fundamentally, as the government argues and appellant does not dispute, the complaint fails to allege any personal involvement at all by any of the five named defendants in any of the wrongdoing alleged (all of which the complaint attributes to other actors who are not named as defendants); indeed, the only place in the complaint where the named defendants are mentioned is the caption. As a result, the complaint fails to allege facts plausibly entitling Mr. Ndoromo to relief from any of the named defendants in their personal capacities.[5]

(...continued)
only as former Attorneys General (Mr. Sessions's predecessors) who arguably served in that capacity at the time of the alleged torts.

[2] *Grayson v. AT&T Corp.*, 15 A.3d 219, 228 (D.C. 2011) (en banc).

[3] *Potomac Dev. Corp. v. District of Columbia*, 28 A.3d 531, 544 (D.C. 2011) (quoting *Ashcroft v. Iqbal*, 556 U.S. 662, 678 (2009)).

[4] *Id.* (quoting *Iqbal*, 556 U.S. at 678) (emphasis added).

[5] We note that the trial court's dismissal of the complaint on this ground was with prejudice. *See* Super. Ct. Civ. R. 41(b)(1)(B) ("Unless the dismissal order states otherwise or as provided elsewhere in these rules, a dismissal by the

(continued...)

We affirm dismissal of any tort claims arguably asserted against any of the defendants in their official capacities on jurisdictional grounds. An official-capacity claim against an officer of the United States is understood as a claim against the United States itself.[6] The United States has not waived its sovereign immunity from suit for constitutional torts[7] or other, intentional torts that do not fall within the ambit of the Federal Tort Claims Act (FTCA).[8] And where a tort claim does fall within the FTCA's ambit, the remedy provided by that statute is "exclusive,"[9] and jurisdiction over FTCA actions is vested solely in the federal courts.[10]

(...continued)
court—except a dismissal for lack of jurisdiction or for failure to join a party under Rule 19—operates as an adjudication on the merits."). Appellant did not argue in the Superior Court that he could cure the deficiency of his complaint by amendment, nor has he made such an argument on appeal.

[6] *See Kentucky v. Graham*, 473 U.S. 159, 165-66 (1985) ("Official-capacity suits . . . 'generally represent . . . another way of pleading an action against an entity of which an officer is an agent.'" (quoting *Monell v. New York City Dep't. of Social Services*, 436 U.S. 658, 690, n. 55 (1978))).

[7] *See FDIC v. Meyer*, 510 U.S. 471, 475-79 (1994).

[8] *See* 28 U.S.C. § 2680(h) (2006); *Sebastian v. District of Columbia*, 636 A.2d 958, 965 (D.C. 1994).

[9] *See* 28 U.S.C. § 2679(b)(1), (d)(1) (1988); *Levin v. United States*, 568 U.S. 503, 509 (2013) (explaining that "the remedy against the United States under the FTCA [is] exclusive for torts committed by federal employees acting within the scope of their employment," and that the FTCA "[s]hield[s] all federal employees from personal liability").

[10] *See Millbrook v. United States*, 569 U.S. 50, 52 (2013) ("The [FTCA] gives federal district courts exclusive jurisdiction over claims against the United States for 'injury or loss of property, or personal injury or death caused by the negligent or wrongful act or omission' of a federal employee 'acting within the scope of his office or employment.'" (quoting 28 U.S.C. § 1346 (2013))); *Bostic v. District of Columbia*, 906 A.2d 327, 332 (D.C. 2006) ("Appellant could not have sued the Capitol Police, an agency of the United States, in D.C. Superior Court; the *(continued...)*

For the foregoing reasons, the judgment of the Superior Court dismissing Mr. Ndoromo's complaint is hereby affirmed.

ENTERED BY DIRECTION OF THE COURT:

Julio A. Castillo

JULIO A. CASTILLO
Clerk of the Court

Copies to:

Honorable Anthony C. Epstein

Director, Civil Division

Akube Ndoromo
15225 Newton Street, NW
Washington, DC 20010

Copies e-served to:

R. Craig Lawrence, Esquire
Assistant United States Attorney

Jane M. Lyons, Esquire
Assistant United States Attorney

(...continued)
Federal Tort Claims Act requires that all tort actions against the United States be brought in the federal courts.").

NO. _____

_____

IN THE

SUPREM COURT OF THE UNITED STATES

_____

Akube Wuromoni Ndoromo –PETIONER

VS.

William Pelham Barr, U.S. Attorney General et al, –RESPONDENT

ON PETITION FOR A WRIT OF CERTIONRARI TO
UNITED STATE COURT OF APPEALS CIRCUIT FOR DISTRICT OF COLUMBIA

_____

AFFIDAVIT ACCOMPANYING MOTION
FOR PEMISION ON PETITION FOR A WRIT OF CERTIORARI IN FORMA PAUPERIS

_____

Affidavit in Support of Motion

I, ***Akube Wuromoni Ndoromo*** swear or affirm under penalty of perjury that, because of my poverty, I cannot prepay the docket fees on Petition for WRIT OF CERTIORARI or post a bond for them. I believe I am entitled to redress. I swear or affirm under penalty of perjury under United States laws that my answers on this form are true and correct. Title 28 U.S.C. Section 1746; 18 U.S.C. Section 1621.

Signed_____ Date 10 / 03 /2020

NO. _____

_____

IN THE

SUPREM COURT OF THE UNITED STATES

_____

Akube Wuromoni Ndoromo –PETIONER
(Your Name)
VS.

William Pelham Barr, U.S. Attorney General et al. –RESPONDENT

PROOF OF SERVICE

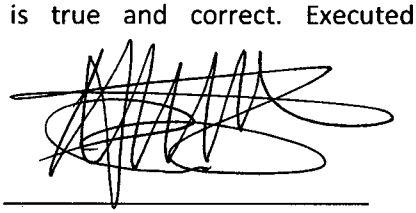
I, Akube Wuromoni Ndoromo, do swear or declare that on this date 24, 02, 20 20, as required by Supreme Court Rule 29 I have served the enclosed MOTION FOR LEAVE TO PROCEED IN FORMA PAUPERIS and PETITION FOR A WRIT OF CERTIORARI on each party to the above proceeding or that party's counsel, and on every other person required to be served, by depositing an envelope containing the above documents in the United States mail properly addressed to each of them and with first-class postage prepaid, or by delivery to a third-party commercial carrier for delivery within 3 calendar days.

The names and addresses of those served are as follows:

William Pelham Barr, et al., U.S. Attorney General
950 Pennsylvania Avenue N.W.
Washington D.C. 20530

Jessie Kong Liu, U.S. Attorney for the District of Columbia.
501 Third Street NW
Washington D.C. 20001
(202) 252-7113

I declare under penalty of perjury that the foregoing is true and correct. Executed on, 09/24 20 20



(Signature)