In the United States Court of Federal Claims

No. 21-1148C
(Filed: August 19, 2021)

DEREK N. JARVIS

Plaintiff

v **JUDGMENT**

THE UNITED STATES

Defendant

Pursuant to the court's Opinion And Order, filed August 19, 2021, granting defendant's motion to dismiss,

IT IS ORDERED AND ADJUDGED this date, judgment entered, pursuant to Rule 58, that plaintiff's complaint is dismissed without prejudice for lack of subject-matter jurisdiction. No costs are awarded.

Lisa L. Reyes
Clerk of Court

By: Anthony Curry
Deputy Clerk

NOTE: As to appeal to the United States Court of Appeals for the Federal Circuit, 60 days from this date, see RCFC 58.1, re number of copies and listing of all plaintiffs. Filing fee is $505.00.

In the United States Court of Federal Claims

No. 21-1148C
(Filed: August 19, 2021)

DEREK N. JARVIS,	*	
	*	
Plaintiff,	*	
	*	Pro Se Claim; Reparations Claim Founded
v.	*	on Native American Heritage, Enslaved
	*	Ancestors, and Systemic Racism; RCFC
THE UNITED STATES,	*	12(b)(1)
	*	
Defendant.	*	

Derek N. Jarvis, Silver Spring, MD, pro se.

Borislav Kushnir, United States Department of Justice, Washington, DC, for defendant.

OPINION AND ORDER

SWEENEY, Senior Judge

Plaintiff Derek N. Jarvis is proceeding pro se in this matter. In his complaint he requests forty million dollars in damages related to the treatment of indigenous Americans who were enslaved and whose descendants continue to suffer from systemic racism. Mr. Jarvis also applies to proceed in forma pauperis. Defendant moves, pursuant to Rule 12(b)(1) of the Rules of the United States Court of Federal Claims ("RCFC"), to dismiss Mr. Jarvis's complaint for lack of subject matter jurisdiction. For the reasons set forth below, the court grants Mr. Jarvis's application to proceed in forma pauperis and also grants defendant's motion to dismiss.

I. BACKGROUND

Mr. Jarvis is a frequent litigant in federal courts.[1] See, e.g., Jarvis v. U.S. Dep't of Hous. & Urb. Dev., 310 F. Supp. 3d 79, 83 (D.D.C.) (granting defendant's summary judgment motion

[1] The court derives much of this background information from the complaint, but also relies on public records such as federal court decisions. See, e.g., Indium Corp. of Am. v. Semi-Alloys, Inc., 781 F.2d 879, 884 (Fed. Cir. 1985) (stating that when "deciding . . . a Rule 12(b)(1) motion, the court can consider, as it did in this case, evidentiary matters outside the pleadings"); Floyd v. United States, 125 Fed. Cl. 183, 190 n.3 (2016) (noting that Federal Rule of Evidence 201 permits the court to take judicial notice of matters of public record). The court makes no findings of fact in this opinion.

in a Freedom of Information Act ("FOIA") action), aff'd, No. 18-5127, 2018 WL 5115539 (D.C. Cir. Oct. 12, 2018); Jarvis v. City of Alexandria, No. 17-CV-378, 2017 WL 2692682, at *2 (E.D. Va. June 22, 2017) (entering an antifiling injunction because Mr. Jarvis had "a history of vexatious litigation, having now filed over twenty-five meritless lawsuits in Maryland, Pennsylvania, and Virginia"), aff'd sub nom. Jarvis v. City of Alexandria Mayor's Off., 699 F. App'x 186 (4th Cir. 2017) (mem.); Jarvis v. FedEx Off. & Print Servs., Inc., No. 08-1694, 2011 WL 826796, at *10 (D. Md. Mar. 7, 2011) (granting defendant's motion for summary judgment on a civil rights claim), aff'd, 442 F. App'x 71 (4th Cir. 2011). In this court, Mr. Jarvis has filed four prior suits, three of which were FOIA suits dismissed for lack of jurisdiction, see Jarvis v. United States, No. 17-829C, slip op. at 2 (Fed. Cl. July 6, 2017); Jarvis v. United States, No. 17-828C, 2017 WL 2735597, at *1 (Fed. Cl. June 26, 2017); Jarvis v. United States, No. 17-763C, slip op. at 2 (Fed. Cl. June 22, 2017), and a fourth, also dismissed for lack of jurisdiction, which alleged that he had been denied access to impartial justice by the United States District Court for the District of Maryland, Jarvis v. United States, No. 17-762C, 2017 WL 4674048, at *1 (Fed. Cl. Oct. 18, 2017), aff'd, 718 F. App'x 984 (Fed. Cir. 2018) (mem.).

In the complaint now before the court, Mr. Jarvis's allegations of fact largely concern the historic treatment of Native Americans, slaves, and their descendants, as well as the "Black-White wealth gap." Compl. 23. Mr. Jarvis alleges that he is a "direct descendant of the Cherokee Freedmen," id. at 1, that he is of Cherokee, Powhatan, and Iroquois ancestry, and that he is "100% Native American" and "NOT AFRICAN," id. at 4. As a result of historical forces and the effects of racism, Mr. Jarvis asserts that he is destitute.

Mr. Jarvis's complaint references numerous sources of law that are examined in more detail below. To cite just a few examples of the law upon which he relies, Mr. Jarvis refers to the constitutional guarantees of due process and equal protection, as well as civil rights statutes. He also alleges that he has been slandered and that his birthright of land, labor, and wealth has been "converted" by the United States. Id. at 19. Perhaps the most accurate characterization of his claim is that he seeks reparations for acts against "so called (Black) Americans" by the United States (or the original thirteen colonies). Id. at 8.

Defendant filed a motion to dismiss for lack of subject matter jurisdiction, to which Mr. Jarvis responded. In his response, Mr. Jarvis raises two new legal bases for jurisdiction for his suit that are addressed below. Defendant then filed its reply. The court deems oral argument unnecessary; thus, defendant's motion is ripe for adjudication.

II. STANDARDS OF REVIEW

A. Pro Se Plaintiffs

Pro se pleadings are "held to less stringent standards than formal pleadings drafted by lawyers" and are "to be liberally construed." Erickson v. Pardus, 551 U.S. 89, 94 (2007) (per curiam) (quoting Estelle v. Gamble, 429 U.S. 97, 106 (1976)). However, the "leniency afforded to a pro se litigant with respect to mere formalities does not relieve the burden to meet jurisdictional requirements." Minehan v. United States, 75 Fed. Cl. 249, 253 (2007); accord

Henke v. United States, 60 F.3d 795, 799 (Fed. Cir. 1995) ("The fact that [the plaintiff] acted pro se in the drafting of his complaint may explain its ambiguities, but it does not excuse its failures, if such there be."). In other words, a pro se plaintiff is not excused from his burden of proving, by a preponderance of evidence, that the court possesses jurisdiction. See Banks v. United States, 741 F.3d 1268, 1277 (Fed. Cir. 2014) (citing Reynolds v. Army & Air Force Exch. Serv., 846 F.2d 746, 748 (Fed. Cir. 1988)).

B. Motion to Dismiss Under RCFC 12(b)(1)

Whether the court has subject matter jurisdiction to decide the merits of a case is a threshold matter. See Steel Co. v. Citizens for a Better Env't, 523 U.S. 83, 93-94 (1998). "Without jurisdiction the court cannot proceed at all in any cause. Jurisdiction is power to declare the law, and when it ceases to exist, the only function remaining to the court is that of announcing the fact and dismissing the cause." Ex parte McCardle, 74 U.S. (7 Wall.) 506, 514 (1868). When considering whether to dismiss a complaint for lack of jurisdiction pursuant to RCFC 12(b)(1), the court assumes that the allegations in the complaint are true and construes those allegations in the plaintiff's favor. Trusted Integration, Inc. v. United States, 659 F.3d 1159, 1163 (Fed. Cir. 2011).

The ability of the United States Court of Federal Claims ("Court of Federal Claims") to entertain suits against the United States is limited. "The United States, as sovereign, is immune from suit save as it consents to be sued." United States v. Sherwood, 312 U.S. 584, 586 (1941). The waiver of immunity "cannot be implied but must be unequivocally expressed." United States v. King, 395 U.S. 1, 4 (1969).

The Tucker Act, the principal statute governing the jurisdiction of this court, waives sovereign immunity for claims against the United States that are founded upon the United States Constitution, a federal statute or regulation, or an express or implied contract with the United States. 28 U.S.C. § 1491(a)(1). However, the Tucker Act is merely a jurisdictional statute and "does not create any substantive right enforceable against the United States for money damages." United States v. Testan, 424 U.S. 392, 398 (1976). Instead, the substantive right must appear in another source of law, such as a "money-mandating constitutional provision, statute or regulation that has been violated, or an express or implied contract with the United States." Loveladies Harbor, Inc. v. United States, 27 F.3d 1545, 1554 (Fed. Cir. 1994) (en banc).

To determine whether it has jurisdiction, the court discerns the true nature of the claims in the complaint and is not constrained by the plaintiff's characterization of those claims. Katz v. Cisneros, 16 F.3d 1204, 1207 (Fed. Cir. 1994). If the court finds that it lacks subject matter jurisdiction over a claim, RCFC 12(h)(3) requires the court to dismiss that claim.

III. DISCUSSION

The court discerns in the complaint a number of legal grounds for Mr. Jarvis's claims. Although the true nature of his claims is a request for reparations based on historic events and systemic racism, the court first addresses the jurisdictional limits that bar the other possible

claims discernable in the complaint.[2] The court then turns to a new jurisdictional allegation set forth in Mr. Jarvis's response brief. Finally, the court considers whether it has jurisdiction over reparations claims such as the one asserted here by Mr. Jarvis.

A. Claims Against Nongovernmental Entities

As an initial matter, the court observes that Mr. Jarvis names multiple defendants in his complaint: the United States, "United States Corporations," and "Universities." Compl. 1. However, it is well settled that the United States is the only proper defendant in the Court of Federal Claims. See 28 U.S.C. § 1491(a)(1) (providing that the Court of Federal Claims has jurisdiction over claims against the United States); RCFC 10(a) (requiring that the United States be designated as the defendant in the Court of Federal Claims); Nat'l City Bank of Evansville v. United States, 163 F. Supp. 846, 852 (Ct. Cl. 1958) ("It is well established that the jurisdiction of this court extends only to claims against the United States, and obviously a controversy between private parties could not be entertained." (footnotes omitted)); Stephenson v. United States, 58 Fed. Cl. 186, 190 (2003) ("[T]he only proper defendant for any matter before this court is the United States, not its officers, nor any other individual."). Indeed, the jurisdiction of the Court of Federal Claims "is confined to the rendition of money judgments in suits brought for that relief against the United States, . . . and if the relief sought is against others than the United States, the suit as to them must be ignored as beyond the jurisdiction of the court." Sherwood, 312 U.S. at 588. Accordingly, Mr. Jarvis's claims against all parties except the United States must be dismissed for lack of jurisdiction.

B. Civil Rights Claim

Turning to Mr. Jarvis's claims against the United States, he first appears to assert a civil rights claim founded on the institution of slavery, his Native American ancestry, and discriminatory treatment related to the perception that he is an African-American. He references the Civil Rights Act of 1964 and various civil rights statutes such as 42 U.S.C. §§ 1982, 1983, 1985, and 1986. It is well established, however, that racial discrimination claims, and other civil

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[2] Although Mr. Jarvis discusses his qualifications for membership in the Cherokee Nation, and specifically references a ruling by Judge Thomas F. Hogan that the descendants of the Cherokee Freedmen are entitled to tribal membership, see Cherokee Nation v. Nash, 267 F. Supp. 3d 86, 139-40 (D.D.C. 2017), there is no allegation in the complaint that Mr. Jarvis has applied for tribal membership. Nor does Mr. Jarvis include in the complaint a request that this court grant him membership in the Cherokee Nation. To the extent that such a request could be implied in the complaint, this court has no jurisdiction to provide equitable relief of this sort. See, e.g., Hunter v. United States, No. 09-355C, 2009 WL 4857378, at *1 (Fed. Cl. Dec. 8, 2009) (stating that this court lacks jurisdiction to provide equitable relief so that a plaintiff may gain admission into a tribe). Further, even if Mr. Jarvis wishes to assert a claim against the Cherokee Nation, such a claim cannot be brought in this court. See Sherwood, 312 U.S. at 588 ("[I]f the relief sought is against others than the United States the suit as to them must be ignored as beyond the jurisdiction of the court.").

rights claims, are not within the jurisdiction of this court. E.g., Daniels v. United States, 59 Fed. Cl. 506, 507 (2004). Any civil rights claim that might be discerned in the complaint must be dismissed for lack of subject matter jurisdiction.

C. Equal Protection and Due Process Claims

Mr. Jarvis also alludes to his rights to equal protection and due process under the law when describing the injuries he has suffered. However, these constitutional guarantees are not money-mandating sources of law for Tucker Act purposes. See, e.g., Mullenberg v. United States, 857 F.2d 770, 773 (Fed. Cir. 1988) ("As to [the plaintiff's] claim for damages for alleged violation of the due process and equal protection clauses of the Constitution, it is firmly settled that these clauses do not obligate the United States to pay money damages."). Therefore, any due process or equal protection claim in the complaint must be dismissed for lack of subject matter jurisdiction.

D. Tort Claims

Mr. Jarvis next alleges that he is the victim of slander, because his Native American heritage has been mischaracterized as African heritage, and conversion, because the resources of his enslaved ancestors were appropriated. Claims of slander and conversion sound in tort. See Wall v. United States, 141 Fed. Cl. 585, 597-98 (2019) (noting that slander is a tort); Block v. United States, 66 Fed. Cl. 68, 72 (2005) (noting that conversion is a tort). The Tucker Act specifically excludes tort claims from this court's jurisdiction, 28 U.S.C. § 1491(a)(1), so to the extent that Mr. Jarvis asserts these allegations as discrete claims, they must be dismissed.[3]

E. Unjust Enrichment Claim

Mr. Jarvis further alleges that the United States has been unjustly enriched by the unfair treatment of his ancestors. Claims founded on unjust enrichment theories rely on the equitable principle of contracts implied in law. Jarurn Invs., LLC v. United States, 144 Fed. Cl. 255, 262-63 (2019). This court's Tucker Act jurisdiction does not encompass claims founded on contracts implied in law. Id.; see also United States v. Tohono O'Odham Nation, 563 U.S. 307, 313 (2011) (stating that the Court of Federal Claims "has no general power to provide equitable relief against the Government or its officers"); Hercules, Inc. v. United States, 516 U.S. 417, 423 (1996) (holding that Tucker Act jurisdiction excludes claims founded on contracts implied in law). Mr. Jarvis's unjust enrichment claim is thus beyond this court's jurisdiction and must be

[3] In his response brief, Mr. Jarvis argues that his claim before the court may be brought under the Federal Tort Claims Act ("FTCA"). 28 U.S.C. § 1346(b)(1). However, this court lacks jurisdiction over FTCA claims. See Brown v. United States, 74 Fed. Cl. 546, 549 (2006) (stating that "the Court of Federal Claims lacks jurisdiction to consider . . . claims . . . under the FTCA"); accord Wood v. United States, 961 F.2d 195, 197 (Fed. Cir. 1992) (stating that the federal district courts have "exclusive jurisdiction over tort claims for any amount if they fall within the Federal Tort Claims Act").

dismissed.

F. Treaty Claim

Mr. Jarvis also bases his claim before this court on the Treaty with the Cherokee, July 19, 1866, 14 Stat. 799. However, as defendant points out, Mr. Jarvis has not identified a provision of this treaty, or of other treaties given passing mention in the complaint, that is money-mandating so as to support Tucker Act jurisdiction for his claim. Moreover, this court lacks jurisdiction to consider claims arising from a treaty unless otherwise provided by statute, 28 U.S.C. § 1502, and Mr. Jarvis has not alleged the existence of such a statute. Thus, any claim in the complaint based on treaty rights must be dismissed for lack of subject matter jurisdiction.

G. Breach of Trust Claim

Next, Mr. Jarvis contends in his response brief that his claim is for a breach of trust. See Pl.'s Resp. 5 ("Plaintiff's claim was brought under the Tucker Act, and framed in the language of a breached trust, which Plaintiff Jarvis lays out in [the] complaint in terms of injury by the United States, where Plaintiff Jarvis must be made whole."). Mr. Jarvis argues that Native Americans are owed a fiduciary duty by the United States, and that the duty arises from a "common law trust relationship." Id. Although asserting claims for the first time in a response brief is no substitute for formally amending a complaint, see Movahedi v. U.S. Bank, N.A., 853 F. Supp. 2d 19, 27 (D.D.C. 2012) (stating that allegations raised for the first time in a response brief "cannot defeat [a] motion to dismiss"); Normandy Apartments, Ltd. v. United States, 100 Fed. Cl. 247, 258-59 (2011) (granting leave to a plaintiff to formally amend a complaint in order to assert a new claim), because Mr. Jarvis is proceeding pro se the court will consider his Native American breach-of-trust claim, see Watson v. United States, No. 06-716, 2007 WL 5171595, at *6-8 (Fed. Cl. Jan. 26, 2007) (considering a claim raised for the first time in a response brief by a pro se plaintiff), aff'd, 240 F. App'x 410 (Fed. Cir. 2007).

For this court to have jurisdiction over a Native American breach-of-trust claim, the plaintiff is tasked with identifying "statutes and regulations [that] clearly give the Federal Government full responsibility to manage Indian resources and land for the benefit of the Indians." United States v. Mitchell, 463 U.S. 206, 224 (1983). The crucial first step in the jurisdictional analysis is for a plaintiff to "identify a specific, applicable, trust-creating statute or regulation that the Government violated." United States v. Navajo Nation, 556 U.S. 287, 302 (2009). The second step in the analysis is for the court to determine whether the identified "trust duty [is] money-mandating." Id. There is no need for the court to address the second jurisdictional test if the first is not met. Id.; see also Hopi Tribe v. United States, 782 F.3d 662, 671 (Fed. Cir. 2015) (agreeing with the trial court that there was no trust-creating source of law identified by the plaintiff in that litigation, and not reaching the secondary question of "whether the specific [fiduciary] obligation is money mandating").

Mr. Jarvis has not identified any statutes or regulations that would create a trust relationship between the United States and a descendant of the Cherokee, Powhatan, and Iroquois tribes such as himself. Any Native American breach-of-trust claim he would assert in

this suit is therefore not within the jurisdiction of the court. Therefore, to the extent that his breach-of-trust claim is properly before the court, it must be dismissed.

H. Reparations Claim

The court now turns to the fundamental question raised by Mr. Jarvis's complaint: Does this court have jurisdiction over a claim for monetary compensation based on the historic treatment of enslaved persons and Native Americans by the United States, and the ongoing effects of systemic racism on one of their descendants? Mr. Jarvis thoroughly explores the topic of reparations.[4] See Compl. 1 (alluding to "Slavery Reparations/Restitution"), 4 (alleging that Native Americans are entitled to reparations pursuant to the Treaty with the Cherokee), 6 (stating that the "United Nations[] agrees that restitution/reparations should be paid to the descendants of slaves"), 15 (discussing "efforts to attempt to raise the issue of reparations and/or restitution[] for Black American natives" and "the viability of lawsuits for reparations for human rights violations"), 16 (stating that although "the U.S. Government[] conceded moral culpability, it refused to provide 'reparations'[] to victims and descendants of slavery"), 22 ("In the context of reparations, the continuing violations [doctrine] appl[ies] in this case, as de facto slavery and oppression is still in effect today, via systemic racism, black codes, economic exclusion, financial hardship, deprivation of rights, equal protection of the law violations, as well as traumatic slave syndrome."), 26 ("The traditional standing for reparations explicitly[] assumes that a familial relationship between the ancestor victim[] and the descendant Plaintiff, what is called 'hereditary' or 'genetic' standing, is sufficient to bring this suit in terms of standing."). When discussing reparations as a legal remedy, Mr. Jarvis draws a comparison between his claim and those based on the Holocaust, Japanese-American internments, and the historic treatment of Native Americans. Id. at 15-17.

This court has not been authorized to consider the reparations claim that Mr. Jarvis asserts in his suit. See Obadele v. United States, 52 Fed. Cl. 432, 442 (2002) (noting that the plaintiffs in that case, who sought reparations as descendants of enslaved persons, "may well be the subject of future legislation providing for reparations for slavery"), aff'd, 61 F. App'x 705 (Fed. Cir. 2003) (table). For an example of a statutory grant of jurisdiction over reparations claims, this court was granted authorization to review certain claims brought by Japanese-Americans affected by internment during World War II. See, e.g., Song v. United States, 43 Fed. Cl. 621, 628-30 (1999) (discussing the passage of the Civil Liberties Act of 1988, 50 U.S.C. § 4201); see also Odow v. United States, 51 Fed. Cl. 425, 429 (2001) (noting that a 1992 amendment to the Civil Liberties Act of 1988 "granted claimants the right to seek judicial review of a denial of compensation [for Japanese-American internment during World War II] exclusively in the Court of Federal Claims"). Mr. Jarvis has not pointed to any such authorization for his suit, and the court is aware of none.

In addition to asserting jurisdiction under the Tucker Act, a plaintiff in this court must

[4] Mr. Jarvis also describes his reparations claim as one for restitution, Compl. 1, 5-7, 15-16, 20-22, 28, and as one for an accounting, id. at 20, 22, 28.

point to a money-mandating source of law for his claim. See Rick's Mushroom Serv., Inc. v. United States, 521 F.3d 1338, 1343 (Fed. Cir. 2008) (stating that a plaintiff in this court "must look beyond the Tucker Act to identify a substantive source of law that creates the right to recovery of money damages against the United States" (citing Mitchell, 463 U.S. at 216)). Mr. Jarvis has not identified a source of law that commands that the United States pay reparations to persons in his situation. Therefore, the complaint before the court must be dismissed for lack of subject matter jurisdiction.[5]

IV. APPLICATION TO PROCEED IN FORMA PAUPERIS

As noted above, Mr. Jarvis filed, concurrent with his complaint, an application to proceed in forma pauperis. Courts of the United States are permitted to waive the prepayment or payment of filing fees and security under certain circumstances.[6] 28 U.S.C. § 1915(a)(1). Plaintiffs wishing to proceed in forma pauperis must submit an affidavit that lists all of their assets, declares that they are unable to pay the fees or give the security, and states the nature of the action and their belief that they are entitled to redress. Id. Mr. Jarvis has substantially satisfied the requirements set forth in 28 U.S.C. § 1915(a)(1). The court therefore grants his application to proceed in forma pauperis.

V. CONCLUSION

There is no jurisdiction in this court for the claims stated by Mr. Jarvis in his complaint. Consequently, the court **GRANTS** defendant's motion to dismiss and **DISMISSES WITHOUT PREJUDICE** the complaint for lack of subject matter jurisdiction. The court also **GRANTS** Mr. Jarvis's application to proceed in forma pauperis.

No costs are awarded. The clerk is directed to enter judgment accordingly. Mr. Jarvis is advised that the filing of another complaint in this court that ignores the jurisdictional limits of the Court of Federal Claims may lead to sanctions for frivolous litigation conduct.

Further, the court certifies, pursuant to 28 U.S.C. § 1915(a)(3), that any appeal from this

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[5] Transfer of the complaint to another federal court would not be in the interest of justice, 28 U.S.C. § 1631, because the question of reparations for the wrong of slavery is generally seen as a political question not susceptible to adjudication in the courts. E.g., In re Afr.-Am. Slave Descendants Litig., 471 F.3d 754, 758 (7th Cir. 2006).

[6] While the Court of Federal Claims is not generally considered to be a "court of the United States" within the meaning of title 28 of the United States Code, the court has jurisdiction to grant or deny applications to proceed in forma pauperis. See 28 U.S.C. § 2503(d) (deeming the Court of Federal Claims to be "a court of the United States" for the purposes of 28 U.S.C. § 1915); see also Matthews v. United States, 72 Fed. Cl. 274, 277 (2006) (stating that this court "has authority to waive the prepayment of filing fees and grant a motion to proceed in forma pauperis").

order would not be taken in good faith because, as alleged, Mr. Jarvis's claims are clearly beyond the subject matter jurisdiction of this court.

IT IS SO ORDERED.

Margaret M. Sweeney

MARGARET M. SWEENEY
Senior Judge

In the United States Court of Federal Claims

No. 21-1148C
(Filed: November 1, 2021)

DEREK N. JARVIS, Plaintiff, v. THE UNITED STATES, Defendant.	*	Pro Se Plaintiff; Motion for Reconsideration

Derek N. Jarvis, Silver Spring, MD, pro se.

Borislav Kushnir, United States Department of Justice, Washington, DC, for defendant.

OPINION AND ORDER

SWEENEY, Senior Judge

Plaintiff Derek N. Jarvis, proceeding pro se, moves for reconsideration of the court's dismissal of his claims, relying on Rule 59 of the Rules of the United States Court of Federal Claims ("RCFC"). As the court stated in its prior opinion, Mr. Jarvis's primary claim is one for reparations to compensate him for the "historic treatment of enslaved persons and Native Americans by the United States." Jarvis v. United States, No. 21-1148C, 2021 WL 3672165, at *5 (Fed. Cl. Aug. 19, 2021), appeal docketed, No. 22-1006 (Fed. Cir. Oct. 1, 2021). The court concluded that there is no jurisdiction for such a claim in this court. Id. at *6. Similarly, Mr. Jarvis's references to treaties between Native American tribes and the United States were insufficient to support jurisdiction in this court for his claims. Id. at *4. The court also found that Mr. Jarvis's breach-of-trust claim against the United States in its role as trustee for the interests of Native Americans, a claim he presented for the first time when opposing defendant's motion to dismiss, was jurisdictionally infirm.[1] Id. at *5.

[1] The court also addressed jurisdictional barriers that foreclosed any claims in the complaint against nongovernmental entities, as well as civil rights claims, equal protection and due process claims, tort claims, and unjust enrichment claims. Jarvis, 2021 WL 3672165, at *3-4. Because Mr. Jarvis's motion for reconsideration focuses primarily on his treaty, breach-of-trust, and reparations claims, the court's rulings on the other claims possibly discerned in the complaint will not be discussed here.

Mr. Jarvis asserts that the court committed a number of errors when dismissing his complaint. For the reasons set forth below, the court disagrees with his assessment and denies Mr. Jarvis's motion.

I. BACKGROUND

Mr. Jarvis filed his complaint in this court on March 29, 2021. The court read the document closely to discern the nature of the claims therein. The first heading of the complaint reads as follows: "INTRODUCTION-SLAVERY REPARATIONS/RESTITUTION-DEPRIVATION OF RIGHTS 42 U.S.C. 1982, 42 U.S.C. 1986-PLAINTIFF IS DIRECT DESCENDANT OF THE CHEROKEE FREEDMEN, ENTITLED TO BENEFITS OF CHEROKEE NATION." Compl. 1. The court dismissed the reparations claims because Mr. Jarvis did not point to any statute mandating the payment of reparations claims of this nature by the United States. See Jarvis, 2021 WL 3672165, at *6 (noting that a plaintiff must identify a money-mandating source of law to bring a claim under the Tucker Act (citing Rick's Mushroom Serv., Inc. v. United States, 521 F.3d 1338, 1343 (Fed. Cir. 2008)).

Mr. Jarvis also referenced, in particular, the Treaty with the Cherokee of 1866. Compl. 3-5, 17. Mr. Jarvis did not, however, identify any provision of this treaty that provided a money-mandating source of law for his claims. This claim, too, was dismissed for lack of jurisdiction. Jarvis, 2021 WL 3672165, at *4.

As for the breach-of-trust claim, also styled as a claim for breach of fiduciary duty, Mr. Jarvis invoked the recognition by courts of a duty "running from the United States to Indian Tribes because of specific treaties, obligations and a network of statutes that by their own terms impose specific duties [on] the government." Pl.'s Resp. 5. However, when the court applied the jurisdictional test for such a breach-of-trust claim, it found that Mr. Jarvis had not identified a specific source of law that established the necessary trust relationship with the United States. See Jarvis, 2021 WL 3672165, at *5 ("Mr. Jarvis has not identified any statutes or regulations that would create a trust relationship between the United States and a descendant of the Cherokee, Powhatan, and Iroquois tribes such as himself."). Finding no jurisdiction for a breach-of-trust claim, the court was obliged to dismiss it.

The court issued its decision dismissing Mr. Jarvis's complaint on August 19, 2021. Mr. Jarvis then filed his motion for reconsideration on August 30, 2021. The court did not require a response from defendant, and oral argument is unnecessary.

II. STANDARD OF REVIEW

A motion for reconsideration under RCFC 59 is a request for extraordinary relief and is not to be used by a dissatisfied party to relitigate the case. See Caldwell v. United States, 391 F.3d 1226, 1235 (Fed. Cir. 2004); Four Rivers Invs., Inc. v. United States, 78 Fed. Cl. 662, 664 (2007); Fru-Con Constr. Corp. v. United States, 44 Fed. Cl. 298, 300 (1999), aff'd per curiam, 250 F.3d 762 (Fed. Cir. 2000) (table). Consequently, such a motion "does not provide an occasion for a party 'to raise arguments that it could have raised previously, but did not'" or to

"reassert arguments that the Court already has considered." Four Rivers Invs., Inc., 78 Fed. Cl. at 664 (quoting Browning Ferris Indus., Inc. & Subsidiaries v. United States, No. 05-738T, 2007 WL 1412087, at *1 (Fed. Cl. May 10, 2007)). However, the court may grant a motion for reconsideration "when there has been an intervening change in the controlling law, newly discovered evidence, or a need to correct clear factual or legal error or prevent manifest injustice." Biery v. United States, 818 F.3d 704, 711 (Fed. Cir. 2016) (quoting Young v. United States, 94 Fed. Cl. 671, 674 (2010)). "The decision whether to grant reconsideration lies largely within the discretion of the [trial] court." Yuba Nat. Res., Inc. v. United States, 904 F.2d 1577, 1583 (Fed. Cir. 1990); accord Biery, 818 F.3d at 711.

III. DISCUSSION

In his motion for reconsideration, Mr. Jarvis discusses three of his claims: (1) violation of treaty rights; (2) breach of trust; and (3) reparations.[2] The court addressed each of these claims in its prior opinion, and found that there was no jurisdiction for these claims in this court. At bottom, Mr. Jarvis is simply reasserting arguments that he has already made or raising arguments that he should have made when responding to the government's motion to dismiss. The court will nonetheless address Mr. Jarvis's principal arguments to the extent required to create a complete record for appellate review.[3] As for Mr. Jarvis's insinuations that the undersigned acted with bias toward him and doubted his allegations regarding his ancestry, there is no truth to these assertions and they are unworthy of additional comment.

Turning first to Mr. Jarvis's reliance on the Treaty with the Cherokee of 1866, he identifies only one provision of the treaty, which, in his words, states that "[f]reedmen rights are inherent." Pl.'s Mot. 5; see also Treaty with the Cherokee art. 9, July 19, 1866, 14 Stat. 799 (stating that "all freedmen who have been liberated by voluntary act of their former owners or by law, as well as all free colored persons who were in the country at the commencement of the rebellion, and are now residents therein, or who may return within six months, and their descendants, shall have all the rights of native Cherokees"). As noted in the court's prior opinion, general statements of this nature in the Treaty with the Cherokee of 1866 do not establish a right for Mr. Jarvis to obtain monetary compensation from the United States. Because no provision of this treaty has been shown to be money-mandating so as to support this court's jurisdiction over the claims in Mr. Jarvis's complaint, his treaty rights claim was properly

[2] Mr. Jarvis explains that his claim for unjust enrichment is a component of his breach-of-trust claim. See Pl.'s Mot. 13 ("Plaintiff's unjust enrichment claims go to breach of trust by the United States . . . ."), 18 ("THE UNITED STATES HAVE BREACHED IT'S FIDUCIARY DUTIES WHEN IT UNJUSTLY ENRICHED AT THE EXPENSE OF PLAINTIFF JARVIS & FAILED TO DISBURSE FUNDS TO PLAINTIFF JARVIS AS AN AMERICAN CHEROKEE EXCLUDING PLAINTIFF FROM RESOURCES ENGAGING IN FRAUD AND CONVERSION[.]").

[3] On September 21, 2021, Mr. Jarvis filed a notice of appeal to the United States Court of Appeals for the Federal Circuit.

dismissed.

The court now considers the breach-of-trust claim, which relies on Mr. Jarvis's status as an American Cherokee and the alleged trust relationship between the United States and indigenous Americans such as Mr. Jarvis. Mr. Jarvis makes three distinct points. He first asserts that there is no bar to an individual breach of trust claim brought by an individual Native American.[4] The court does not dispute this point and indeed, in its prior opinion, the court did not distinguish between a breach-of-trust claim brought by a Native American tribe and a breach-of-trust claim brought by an individual Native American.

Second, Mr. Jarvis asserts that resources that should have been his are being provided, unjustly, to members of tribes who have, in his view, a less legitimate claim on those resources than he does. This argument is founded on the alleged trust relationship between the United States and Mr. Jarvis:

> Plaintiff Jarvis, has alleged that the United States, has failed to faithfully perform those duties, with respect to fiduciary duties by breaching it's trust responsibility to Plaintiff Jarvis, resulting in compensable damages. Likewise, the United States motion to dismiss should have been denied by this biased and racist judge in this case, as Plaintiff Jarvis, has alleged a facially, plausible claim for breach of trust sufficient for the Court to draw reasonable inferences that the United States is liable in money damages to Plaintiff Jarvis an American Cherokee Indian Indigenous to North America who has been excluded from the Indian trust fund and resources over 61 years, this court is also engaged in fraudulent acts that will be investigated as they are now excluding this Plaintiff from monies owed to him by the government.

Pl.'s Mot. 11 (reproduced as written). However, as this court held in its prior opinion, Mr. Jarvis has not established that the United States is in a trust relationship with him under the two-part test set forth in United States v. Navajo Nation, 556 U.S. 287, 302 (2009). In the absence of a fiduciary responsibility on the part of the United States, the court cannot consider a claim that Native American tribes are receiving trust funds that should have been directed to Mr. Jarvis.

Mr. Jarvis's last argument regarding his breach-of-trust claim addresses the sources of law that, in his view, establish the required trust relationship with the United States. This aspect of his motion is not a model of clarity. Mr. Jarvis again references, generally, the Treaty with the Cherokee of 1866, and includes a number of passages extracted from seminal court opinions that discuss the trust relationship that can be formed between the United States and Native Americans. He mentions his birthright as an American Cherokee. He alludes generally to circumstances where the United States has exercised elaborate control over a trust corpus belonging to a Native American tribe. Nowhere in the motion, however, does he identify a

[4] Mr. Jarvis, unlike the court, draws a distinction between the terms "Native American" and "American Indian." Pl.'s Mot. 9-10, 14-15, 17, 19, 21.

specific statute or regulation that provides the foundation for the trust relationship he seeks to establish between the United States and persons in his circumstances. Because Mr. Jarvis fails to establish that the jurisdictional requirements set forth in Navajo Nation have been met, he has not shown that the court erred when it dismissed his breach-of-trust claim.

Finally, Mr. Jarvis argues that jurisdiction lies for his reparations claim. He notes, in particular, that he "is seeking restitution for historical wrongs." Pl.'s Mot. 14. He asserts that his reparations claim would provide relief for the "cultural deprivation of resources, [and would] repair harm caused by historical injustices." Id. at 17. He also alleges that he "has been excluded from the constitution and 1866 Treaties." Id. at 16. Yet nowhere in his motion does Mr. Jarvis identify a money-mandating source of law for his reparations claim. Lacking such a source of law, Mr. Jarvis has not shown how the court erred in dismissing his reparations claim for lack of jurisdiction.

IV. CONCLUSION

Mr. Jarvis has not identified any reason to reconsider the court's ruling that it lacks jurisdiction over the claims stated in his complaint. Accordingly, his motion for reconsideration is **DENIED**. Further, the court certifies, pursuant to 28 U.S.C. § 1915(a)(3), that any appeal from this order would not be taken in good faith because, as alleged, Mr. Jarvis's claims are clearly beyond the subject matter jurisdiction of this court. The clerk's office shall **REJECT** any further filings in this case.

IT IS SO ORDERED.

Margaret M. Sweeney

MARGARET M. SWEENEY
Senior Judge

NOTE: This disposition is nonprecedential.

United States Court of Appeals for the Federal Circuit

DEREK N. JARVIS,
Plaintiff-Appellant

v.

UNITED STATES,
Defendant-Appellee

2022-1006

Appeal from the United States Court of Federal Claims in No. 1:21-cv-01148-MMS, Senior Judge Margaret M. Sweeney.

Decided: April 5, 2022

DEREK N. JARVIS, Silver Spring, MD, pro se.

BORISLAV KUSHNIR, Commercial Litigation Branch, Civil Division, United States Department of Justice, Washington, DC, for defendant-appellee. Also represented by BRIAN M. BOYNTON, TARA K. HOGAN, PATRICIA M. MCCARTHY.

Before DYK, TARANTO, and CUNNINGHAM, *Circuit Judges.*

PER CURIAM.

In March 2021, Derek N. Jarvis brought the present action against the United States in the Court of Federal Claims (Claims Court), seeking monetary damages based on wrongs, including enslavement, committed against or by his Native American ancestors, particularly the Cherokee. The Claims Court dismissed the case for lack of subject-matter jurisdiction, concluding, as relevant here, that none of the sources of law cited by Mr. Jarvis provided a sufficient basis for jurisdiction over this action against the United States. *Jarvis v. United States*, 154 Fed. Cl. 712, *reconsideration denied*, 156 Fed. Cl. 393 (2021). Mr. Jarvis appeals. We affirm, discerning no error in the Claims Court's determination that it lacked jurisdiction.

I

On March 29, 2021, Mr. Jarvis filed a complaint in the Claims Court against the United States and certain universities and corporations. Supplemental Appendix (SAppx) 16; SAppx 22. In the complaint, Mr. Jarvis claimed to be "a direct descendant of The Cherokee Freedmen"—and of Cherokee, Iroquois, and Powhatan ancestry—who was left "destitute" because "[t]he practice of slavery . . . deprived [him] of the fruits of his ancestors['] labor." SAppx 19, 23, 36; *see also* Appellant Inf. Br. 9 (stating that he is "owed a large debt for the brutality of his ancestors," as well as for his "exclu[sion] from Indian trust funds"); *id.* at 4, 17 (similar). As compensation, Mr. Jarvis sought monetary damages totaling $40 million. SAppx 43.

On June 1, 2021, the United States filed a motion to dismiss for lack of subject matter jurisdiction under Rule 12(b)(1) of the Rules of the U.S. Court of Federal Claims (RCFC). After Mr. Jarvis responded, the Claims Court granted the government's motion and entered judgment pursuant to RCFC Rule 58 dismissing Mr. Jarvis's complaint without prejudice for lack of subject-matter jurisdiction on August 19, 2021. The Claims Court first explained

that it lacked jurisdiction over the claims against the university and corporate defendants. *Jarvis*, 154 Fed. Cl. at 717; *see also* 28 U.S.C. § 1491(a)(1); *United States v. Sherwood*, 312 U.S. 584, 588 (1941). Turning to Mr. Jarvis's claims against the United States, the Claims Court then addressed each source of law cited by Mr. Jarvis and held each one insufficient to confer jurisdiction under the jurisdictional grant at issue, namely, the Tucker Act, 28 U.S.C. § 1491(a)(1). *Jarvis*, 154 Fed. Cl. at 717–20 (explaining why civil rights claims, equal protection and due process claims, tort claims, unjust enrichment claims, treaty claims, breach of trust claims, and reparations claims were not within the jurisdiction of the Claims Court). Thereafter, Mr. Jarvis filed a motion for reconsideration under RCFC Rule 59, but the Claims Court denied the motion on November 1, 2021. *Jarvis*, 156 Fed. Cl. at 395–97.

Mr. Jarvis timely appeals the Claims Court's dismissal. We have jurisdiction under 28 U.S.C. § 1295(a)(3).

II

We review de novo the Claims Court's dismissal for lack of jurisdiction, taking as true all undisputed facts asserted in the complaint and drawing all reasonable inferences in favor of the plaintiff. *Trusted Integration, Inc. v. United States*, 659 F.3d 1159, 1163 (Fed. Cir. 2011). As plaintiff, Mr. Jarvis "bears the burden of establishing subject-matter jurisdiction by a preponderance of the evidence." *Hopi Tribe v. United States*, 782 F.3d 662, 666 (Fed. Cir. 2015) (citation omitted). Pro se plaintiffs are entitled to a liberal construction of their complaints, *Erickson v. Pardus*, 551 U.S. 89, 94 (2007), but they must meet jurisdictional requirements, *Kelley v. Sec'y, U.S. Dep't of Labor*, 812 F.2d 1378, 1380 (Fed. Cir. 1987); *Landreth v. United States*, 797 F. App'x 521, 523 (Fed. Cir. 2020).

Mr. Jarvis argues on appeal that Tucker Act jurisdiction exists to hear his claims of a government violation of at least one 1866 federal treaty with the Cherokee and a

breach by the government of a trust relationship the United States has with Native Americans. *E.g.*, Appellant Inf. Br. iii, 2–5, 15–20, 23–24. That argument recognizes that the Tucker Act is not independently a source of jurisdiction. To establish jurisdiction, "the plaintiff must look beyond the Tucker Act to identify a substantive source of law that creates the right to recovery of money damages against the United States." *Rick's Mushroom Serv., Inc. v. United States*, 521 F.3d 1338, 1343 (Fed. Cir. 2008) (citing *United States v. Mitchell*, 463 U.S. 206, 216 (1983) (*Mitchell II*)); *see also United States v. Navajo Nation*, 556 U.S. 287, 290 (2009) (*Navajo Nation II*); *Fisher v. United States*, 402 F.3d 1167, 1172 (Fed. Cir. 2005). We agree with the Claims Court that the two sources of law Mr. Jarvis now invokes do not create a right to money damages and so do not support jurisdiction under the Tucker Act.[1]

First: Mr. Jarvis contends that "[t]he 1886 Treaties state[] unequivocally, that Indigenous American Indians[,] such as Appellant Jarvis, [are] entitled to housing, restitution and access to Indian trust funds, access to resources and land among other benefits." Appellant Inf. Br. ii. But he has identified, in this court and in the Claims Court, only one treaty, namely, the Treaty with the Cherokee, July 19, 1866, 14 Stat. 799, and the Claims Court addressed only that treaty, *Jarvis*, 154 Fed. Cl. at 718; *Jarvis*, 156 Fed. Cl. at 396. In that treaty, Mr. Jarvis has pointed only to article 9, which states: "The Cherokee nation having, voluntarily, . . . forever abolished slavery, hereby covenant and agree that never hereafter shall either slavery or involuntary servitude exist in their nation . . . . They further agree that all freedmen who have been liberated . . . and their descendants, shall have all the rights of native

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[1] The failing under the Tucker Act would also preclude jurisdiction under the Indian Tucker Act, 28 U.S.C. § 1505. *See Navajo Nation II*, 556 U.S. at 290.

Cherokees . . . ." 14 Stat. at 801; *see, e.g.*, Appellant Inf. Br. ii, iii, 16. As the Claims Court held, however, that statement is not fairly interpreted as "mandating compensation by the Federal Government." *Navajo Nation II*, 556 U.S. at 290 (quoting *United States v. Testan*, 424 U.S. 392, 400 (1976)); *see Jarvis*, 156 Fed. Cl. at 396. And we see no other provision of the 1866 treaty that provides a right to monetary compensation from the United States applicable to the wrongs Mr. Jarvis alleges.

Second: The Supreme Court has held that "'the undisputed existence of a general trust relationship between the United States and the Indian people' . . . alone is insufficient to support jurisdiction under the Indian Tucker Act," *United States v. Navajo Nation*, 537 U.S. 488, 506 (2003) (quoting *Mitchell II*, 463 U.S. at 225), and the same is true under the general Tucker Act, *cf. Navajo Nation II*, 556 U.S. at 290; *United States v. White Mountain Apache Tribe*, 537 U.S. 465, 472 (2003); *Spengler v. United States*, 688 F. App'x 917, 921 n.2 (Fed. Cir. 2017). A plaintiff asserting a trust basis for damages must first "identify a specific, applicable, trust-creating statute or regulation that the government violated," as well as show that the "trust duty [is] money mandating." *Navajo Nation II*, 556 U.S. at 302; *see also id.* at 290–91; *Hopi Tribe*, 782 F.3d at 667–68. As the Claims Court held, Mr. Jarvis has not identified any statute, regulation, or treaty that created an applicable trust relationship between the United States and Mr. Jarvis as a descendant of the Cherokee Freedmen, Cherokee, Powhatan, or Iroquois tribes. *Jarvis*, 154 Fed. Cl. at 718–19; *Jarvis*, 156 Fed. Cl. at 396–97; Appellant Inf. Br. 18–20, 23–24. Mr. Jarvis's trust theory therefore fails.

In sum, Mr. Jarvis has not identified a source of law that grants him a claim against the United States for the payments he seeks, including money he suggests was paid to others. Without such a money-mandating source of law, he has not established jurisdiction.

III

Aside from the above alleged substantive errors, Mr. Jarvis also accuses the Claims Court of various procedural errors, which he claims evidence bias. Appellant Inf. Br. v–vi, 21, 27–29. None of Mr. Jarvis's allegations merit reversal. We discuss here only two of the alleged errors.

Mr. Jarvis argues that the Claims Court improperly considered matters outside the pleadings. We see no impropriety. The Claim Court's statement in the Background section of its opinion that "Mr. Jarvis is a frequent litigant in federal courts" and its subsequent citation to cases of public record in which Mr. Jarvis was a litigant, *see Jarvis*, 154 Fed. Cl. at 715 & n.1, were permissible, as courts may consider public records when resolving a motion to dismiss, *see Dimare Fresh, Inc. v. United States*, 808 F.3d 1301, 1306 (Fed. Cir. 2015); *Indium Corp. of America v. Semi-Alloys, Inc.*, 781 F.2d 879, 884 (Fed. Cir. 1985). In any event, even if Mr. Jarvis were correct that this was error, it would be harmless error since the Claims Court did not rely on Mr. Jarvis's litigation history to reach its jurisdictional holding. *Jarvis*, 154 Fed. Cl. at 715 n.1 ("The court makes no findings of fact in this opinion."); *id.* at 717–20 (not mentioning prior litigation in jurisdictional analysis); *cf. Commercial Contractors, Inc. v. United States*, 154 F.3d 1357, 1367 (Fed. Cir. 1998) ("In any event, the court did not rely significantly on the summaries of the statements, so any error in their admission would be harmless.").

Mr. Jarvis also argues that the Claims Court made statements in the initial dismissal that contradict statements in the denial of reconsideration. We see no such contradiction. The Claims Court's statement that "Mr. Jarvis has not identified a provision of [the 1866] treaty, or of other treaties given passing mention in the complaint, *that is money-mandating* so as to support Tucker Act jurisdiction for his claim," *Jarvis*, 154 Fed. Cl. at 718 (emphasis added), is consistent with its later statement that Mr.

Jarvis "identifies only one provision of the [1866] treaty" in his motion for reconsideration, but that "[a]s noted in the court's prior opinion, general statements of this nature in the Treaty with the Cherokee of 1866 do not establish a right for Mr. Jarvis to obtain monetary compensation from the United States," *Jarvis*, 156 Fed. Cl. at 396. Similarly, the Claims Court's initial observation that "there is no allegation in the complaint that Mr. Jarvis has applied for tribal membership" and its discussion of why it would not have jurisdiction to grant him membership, *Jarvis*, 154 Fed. Cl. at 717 n.2, are consistent with the Claims Court's later statement that it did not dispute the absence of a bar against an individual Native American (rather than a tribe) bringing breach-of-trust claims, *Jarvis*, 156 Fed. Cl. at 396.[2]

IV

For the foregoing reasons, we affirm the Claims Court's dismissal of the case for lack of subject-matter jurisdiction.

The parties shall bear their own costs.

AFFIRMED

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[2] The Claims Court, in its initial decision, warned that "the filing of another complaint in this court that ignores the jurisdictional limits of [the court] may lead to sanctions for frivolous litigation conduct," *Jarvis*, 154 Fed. Cl. at 720, and in denying reconsideration (to create finality), the court directed the clerk's office to reject "any further filings in this case," *Jarvis*, 156 Fed. Cl. at 397. We see no reversible error in these rulings.

NOTE: This order is nonprecedential.

United States Court of Appeals for the Federal Circuit

DEREK N. JARVIS,
Plaintiff-Appellant

v.

UNITED STATES,
Defendant-Appellee

2022-1006

Appeal from the United States Court of Federal Claims in No. 1:21-cv-01148-MMS, Senior Judge Margaret M. Sweeney.

ON PETITION FOR PANEL REHEARING AND REHEARING EN BANC

Before MOORE, *Chief Judge*, NEWMAN, LOURIE, DYK, PROST, REYNA, TARANTO, CHEN, HUGHES, STOLL, CUNNINGHAM, and STARK, *Circuit Judges*.

PER CURIAM.

O R D E R

Derek N. Jarvis filed a combined petition for panel rehearing and rehearing en banc. The petition was referred to the panel that heard the appeal, and thereafter the

petition for rehearing en banc was referred to the circuit judges who are in regular active service.

Upon consideration thereof,

IT IS ORDERED THAT:

The petition for panel rehearing is denied.

The petition for rehearing en banc is denied.

FOR THE COURT

May 16, 2022
Date

/s/ Peter R. Marksteiner
Peter R. Marksteiner
Clerk of Court

Additional material from this filing is available in the Clerk's Office.