

APPENDIX D USCADC Unpublished Order

United States Court of Appeals
FOR THE DISTRICT OF COLUMBIA CIRCUIT**No. 22-7075****September Term, 2021****1:22-cv-00274-UNA****Filed On: July 12, 2022**

Patrick O. Christian,

Appellant

v.

Republican Party and Democratic Party,

Appellees

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

The court concludes, on its own motion, that oral argument will not assist the court in this case. Accordingly, the court will dispose of the appeal without oral argument on the basis of the record and the presentations in appellant's brief. See Fed. R. App. P. 34(a)(2); D.C. Cir. Rule 34(j).

Per Curiam**FOR THE COURT:**
Mark J. Langer, Clerk

BY: /s/

Lynda M. Flippin
Deputy Clerk

APPENDIX A USDCDC Memorandum Order

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

FILED

FEB. 23, 2022

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

PATRICK CHRISTIAN,

Plaintiff,

v.

REPUBLICAN PARTY, *et al.*,

Defendants.

Civil Action No. 22-0274 (UNA)

MEMORANDUM OPINION

Under the statute governing *in forma pauperis* proceedings, the Court is required to dismiss a case “at any time” it determines that the action is frivolous, malicious, or fails to state a claim upon which relief may be granted. 28 U.S.C. § 1915(e)(2). Here, having reviewed the complaint carefully, the Court concludes that it cannot discern what claim or claims plaintiff intends to bring; the complaint will thus be dismissed. See *Gwinnell-Kennedy v. U.S. Gov’t Judiciary*, No. 09-cv-737, 2009 WL 1089543, at *1 (D.D.C. Apr. 22, 2009) (summarily dismissing complaint under § 1915(e)(2) because it was “incoherent”); *McGuire v. U.S. District Court*, No. 10-cv-696, 2010 WL 1855858, at *1 (D.D.C. May 4, 2010) (summarily dismissing complaint under § 1915(e)(2) because it was “largely incoherent and nonsensical”); cf. *Neitzke v. Williams*, 490 U.S. 319, 325 (1989) (“[A] complaint, containing . . . factual allegations and legal conclusions . . . lack[ing] an arguable basis either in law or in fact” shall be dismissed.).

Accordingly, the Court will grant plaintiff’s application to proceed *in forma pauperis* and will dismiss the complaint and this civil action without prejudice.

A separate order will issue.

DATE: February 23, 2022

/s/

RANDOLPH D. MOSS
United States District Judge

APPENDIX B USDCDC Order
FOR THE DISTRICT OF COLUMBIA

PATRICK CHRISTIAN,)	
)	
Plaintiff,)	
)	Civil Action No. 1:22-cv-00274 (UNA)
v.)	
)	
REPUBLICAN PARTY, <i>et al.</i> ,)	
)	
Defendants.)	

ORDER

This matter is before the court on plaintiff's "en banc motion to rehear" ("MTR"), ECF No. 5, and "rehearing complaint motion" ("RCM"), ECF No. 6. For the reasons explained herein, the court will deny these motions.

This matter was dismissed pursuant to 28 U.S.C. § 1915(e)(2), *see* ECF Nos. 3–4, on February 24, 2022, as frivolous and because the complaint failed to state a claim upon which relief may be granted. Plaintiff now, by and through these pending motions, seeks reconsideration of that determination. These motions, however, are as incoherent as the complaint itself. For example, plaintiff argues, without basis or specificity, that "Democrats and Republicans . . . have compiled a considerable number of crimes against" him and his family members. MTR ¶¶ 1, 7. He contends that he "would prefer to maintain his god-fearing Heterosexual status, and still become a productive member of society seeking the American dream[.]" and that defendants "force their homosexual will upon everyone[.]" RCM at 2.

Motions submitted pursuant Fed. R. Civ. P. 59(e) need not be granted "unless the district court finds that there is an intervening change of controlling law, the availability of new evidence or the need to correct a clear error or prevent manifest injustice." *See Firestone v. Firestone*, 76 F.3d 1205, 1208 (D.C. Cir. 1996). Here, plaintiff has not only failed to provide any availing

argument pursuant to Fed. R. Civ. P. 59(e), or under any other interpretation, to vacate the dismissal of this matter, but these motions are, in fact, unintelligible.


Additionally, plaintiff has not shown the need for a hearing in this matter, nor has he provided any basis or authority by which he may demand that this court review this matter "en banc." *See* MTR at 1. To the extent that plaintiff seeks a three-judge panel, *see* 28 U.S.C. § 2284(a), he has not established that this matter qualifies under the terms of the applicable statute.

Accordingly, it is hereby

ORDERED that plaintiff's en banc motion to rehear, ECF No. 5, and his rehearing complaint motion, ECF No. 6, are both **DENIED**.

SO ORDERED.

Dated: May 11, 2022


TREVOR N. McFADDEN
United States District Judge

Motions submitted pursuant Fed. R. Civ. P. 59(e) need not be granted “unless the district court finds that there is an intervening change of controlling law, the availability of new evidence or the need to correct a clear error or prevent manifest injustice.” See *Firestone v. Firestone*, 76 F.3d 1205, 1208 (D.C. Cir. 1996). Here, plaintiff has not only failed to provide any availing

argument pursuant to Fed. R. Civ. P. 59(e), or under any other interpretation, to vacate the dismissal of this matter, but these motions are, in fact, unintelligible.


Additionally, plaintiff has not shown the need for a hearing in this matter, nor has he provided any basis or authority by which he may demand that this court review this matter "en banc." See MTR at 1. To the extent that plaintiff seeks a three-judge panel, see 28 U.S.C. § 2284(a), he has not established that this matter qualifies under the terms of the applicable statute.

Accordingly, it is hereby

ORDERED that plaintiff's en banc motion to rehear, ECF No. 5, and his rehearing complaint motion, ECF No. 6, are both **DENIED**.

SO ORDERED.

Dated: May 11, 2022


TREVOR N. McFADDEN
United States District Judge

CERTIFICATE OF COMPLIANCE

No. 22-7075

Patrick Christian,

Petitioner

v.

Republican Party, et. al.

Respondents

As required by Supreme Court Rule 33.1(h), I certify that the petition for a writ of certiorari contains 2257 words, excluding the parts of the petition that are exempted by Supreme Court Rule 33.1(d).

I declare under penalty of perjury that the foregoing is true and correct.

Executed on 16 August, 2022.

Patrick Christian