

UNITED STATES COURT OF APPEALS
FOR THE
SECOND CIRCUIT

At a stated term of the United States Court of Appeals for the Second Circuit, held at the Thurgood Marshall United States Courthouse, 40 Foley Square, in the City of New York, on the 6th day of March, two thousand twenty-three.

Gregory Ifesinachi Ezeani,

Plaintiff - Appellant,

v.

Laura B. Zuchowski, Director of United States Citizens and Immigration Services Vermont Service Center,

Defendant - Appellee.

ORDER

Docket No: 22-1667

Appendix A

Appellant, Gregory Ifesinachi Ezeani, filed a motion for panel reconsideration, or, in the alternative, for reconsideration *en banc*. The panel that determined the appeal has considered the request for reconsideration, and the active members of the Court have considered the request for reconsideration *en banc*.

IT IS HEREBY ORDERED that the motion is denied.

FOR THE COURT:

Catherine O'Hagan Wolfe, Clerk

Catherine O'Hagan Wolfe



D. Vt.
22-cv-76
Crawford, C.J.

United States Court of Appeals
FOR THE
SECOND CIRCUIT

At a stated term of the United States Court of Appeals for the Second Circuit, held at the Thurgood Marshall United States Courthouse, 40 Foley Square, in the City of New York, on the 9th day of December, two thousand twenty-two.

Present:

José A. Cabranes,
Susan L. Carney,
Beth Robinson,
Circuit Judges.

Gregory Ifesinachi Ezeani,

Plaintiff-Appellant,

v.

Appendix B

22-1667

Laura B. Zuchowski,
Director of the United States Citizens and Immigration Services
Vermont Service Center,

Defendant-Appellee.

Appellant, pro se, moves for leave to proceed in forma pauperis and other relief. Upon due consideration, it is hereby ORDERED that the motion is DENIED and the appeal is DISMISSED because it "lacks an arguable basis either in law or in fact." *Neitzke v. Williams*, 490 U.S. 319, 325 (1989); *see also* 28 U.S.C. § 1915(e).

FOR THE COURT:
Catherine O'Hagan Wolfe, Clerk of Court

Catherine O'Hagan Wolfe



UNITED STATES DISTRICT COURT
FOR THE
DISTRICT OF VERMONT

U.S. DISTRICT COURT
DISTRICT OF VERMONT
FILED

2022 JUL 11 PM 06

GREGORY IFESINACHI EZEANI,

Plaintiff,

v.

LAURA B. ZUCHOWSKI,
Director of USCIS Vermont Service Center,

Defendant.

CLERK
BY 
DEPUTY CLERK

Case No. 5:22-cv-76

Appendix C

ORDER DISMISSING AMENDED COMPLAINT AND DISMISSING CASE
(Doc. 6)

On May 5, 2022, self-represented Plaintiff Gregory Ifesinachi Ezeani was granted leave to proceed *in forma pauperis* under 28 U.S.C. § 1915; however, Plaintiff's Complaint was dismissed without prejudice under 28 U.S.C. § 1915(e)(2)(B). (Doc. 4.) Plaintiff timely filed an Amended Complaint (Doc. 6), which the court now considers.

Dismissal is warranted for substantially the same reasons as explained in the May 5 Order. (See Doc. 4 at 3–5.) Although Plaintiff now seeks \$10,000,000 in damages, the Amended Complaint does not state a *Bivens* claim against Defendant. *See Bivens v. Six Unknown Named Agents of Federal Bureau of Narcotics*, 403 U.S. 388 (1971); *Ziglar v. Abbasi*, 137 S. Ct. 1843, 1857 (2017). Because Plaintiff has not plausibly alleged a claim for relief, his Amended Complaint is DISMISSED. The court hereby certifies that under 28 U.S.C. § 1915(a)(3) any appeal would not be taken in good faith.

SO ORDERED.

Dated at Burlington, in the District of Vermont, this 11th day of July 2022.

/s/ Geoffrey W. Crawford
Geoffrey W. Crawford, Chief Judge
United States District Court