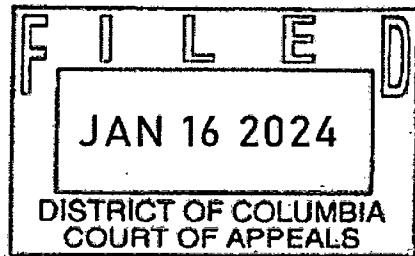


APPENDIX A.

District of Columbia
Court of Appeals

No. 23-CV-0297



JESSE R. REDMOND, JR.
Appellant,
v.

2022-CAB-005047

DISTRICT OF COLUMBIA,
Appellee.

BEFORE: Howard and Shanker, Associate Judges, and Glickman, Senior Judge.

JUDGMENT

On consideration of appellant's brief, appellee's motion for summary affirmance and appellant's opposition thereto, and the record on appeal, it is

ORDERED that appellee's motion for summary affirmance is granted. *See Oliver T. Carr Mgmt., Inc. v. Nat'l Delicatessen, Inc.*, 397 A.2d 914, 915 (D.C. 1979). As the trial court explained, a criminal complaint is not required to be signed by the victim. *See generally* D.C. Super. Ct. Crim. R. 4(a), (b) (explaining that a criminal complaint must be supported by probable cause and can be supported by hearsay evidence, but containing no requirement that the victim sign it). Thus, the trial court appropriately found that appellant failed to state a cognizable cause of action where his claims turned on the fact that the victim did not sign the complaint. It is

FURTHER ORDERED and ADJUDGED that the order on appeal is affirmed.

ENTERED BY DIRECTION OF THE COURT:

JULIO A. CASTILLO
Clerk of the Court

No. 23-CV-0297

Copies e-served to:

Honorable Neal E. Kravitz

QMU – Civil Division

Caroline Van Zile, Esquire
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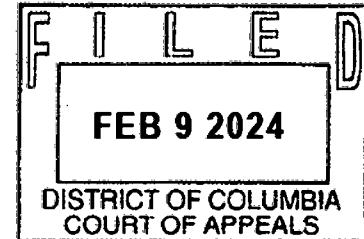
APPENDIX B.

**District of Columbia
Court of Appeals**

No. 23-CV-0297

JESSE R. REDMOND,

Appellant,



v.

2022-CAB-005047

DISTRICT OF COLUMBIA,

Appellee.

BEFORE: Blackburne-Rigsby, Chief Judge, Beckwith, Easterly, Deahl, Howard and Shanker, Associate Judges.

ORDER

On consideration of appellant's petition for rehearing en banc; and it appearing that no judge of this court has called for a vote on the petition for rehearing en banc, it is

ORDERED that appellant's petition for rehearing en banc is denied.

PER CURIAM

Associate Judge McLeese did not participate in this case.

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EXHIBIT C.

**SUPERIOR COURT OF THE DISTRICT OF COLUMBIA
CIVIL DIVISION**

JESSE R. REDMOND,)	
Plaintiff)	
)	Case No. 2022-CAB-005047
v.)	
)	Judge Neal E. Kravitz
DISTRICT OF COLUMBIA,)	
Defendant)	

ORDER GRANTING DEFENDANT'S MOTION TO DISMISS

The defendant has filed a motion to dismiss the complaint for failure to state a claim on which relief can be granted, *see* Super. Ct. Civ. R. 12(b)(6), or, in the alternative, for summary judgment, *see* Super. Ct. Civ. R. 56. The defendant argues that (a) the complaint does not plausibly allege a cause of action for fraud, malicious prosecution, or false imprisonment; (b) the plaintiff's fraud claims, to the extent he makes them, are barred by the applicable statute of limitations; (c) the plaintiff failed to comply with the mandatory notice requirement for suing the District of Columbia, *see* D.C. Code § 12-309; and (d) the plaintiff failed to comply with the requirements for opposing a motion for summary judgment, including the filing of a statement of genuinely disputed material facts, *see* Supr. Ct. Civ. R. 56(b)(2)(B). The plaintiff has filed two oppositions to the defendant's motion—one to the request for dismissal, the other to the request for summary judgment. The defendant has filed a reply.

The court has carefully considered the parties' arguments and the entire record of the case. For the reasons that follow, the court concludes that the defendant's motion to dismiss under Super. Ct. Civ. R. 12(b)(6) should be granted.

Legal Standard

A complaint is subject to dismissal under Rule 12(b)(6) for failure to state a claim on which relief can be granted if it does not satisfy the requirement, set forth in Rule 8(a)(2), that it

contain “a short and plain statement of the claim showing that the pleader is entitled to relief.” *See Potomac Dev. Corp. v. District of Columbia*, 28 A.3d 531, 543–44 (D.C. 2011). The notice pleading rules do “not require detailed factual allegations,” *id.* (internal quotation marks omitted) (quoting *Ashcroft v. Iqbal*, 556 U.S. 662, 678 (2009)), and all factual allegations in a complaint challenged under Rule 12(b)(6) must be presumed true and liberally construed in the plaintiff’s favor, *Grayson v. AT&T Corp.*, 15 A.3d 219, 228–29 (D.C. 2011) (en banc). Nevertheless, “a complaint must contain sufficient factual matter, accepted as true, to state a claim to relief that is plausible on its face,” and the plaintiff must plead “factual content that allows the court to draw the reasonable inference that the defendant is liable for the misconduct alleged.” *Potomac Dev. Corp.*, 28 A.3d at 544 (internal quotation marks omitted) (quoting *Iqbal*, 556 U.S. at 678). Although a plaintiff can survive a Rule 12(b)(6) motion even if “recovery is very remote and unlikely,” *Grayson*, 15 A.3d at 229 (internal quotation marks omitted), the “factual allegations must be enough to raise a right to relief above the speculative level,” *OneWest Bank, FSB v. Marshall*, 18 A.3d 715, 721 (D.C. 2011) (internal quotation marks and brackets omitted). Conclusory allegations “are not entitled to the assumption of truth,” and although “legal conclusions can provide the framework of a complaint, they must be supported by factual allegations.” *Potomac Dev. Corp.*, 28 A.3d at 544 (citing *Iqbal*, 556 U.S. at 664).

Discussion

The plaintiff states that he served twenty-one years in prison for a 1996 conviction for first-degree sexual assault. He alleges that his conviction was fraudulently and improperly obtained because the criminal complaint that led to his arrest was signed by a police officer instead of the complainant: Compl. at 3. He refers to the criminal complaint as “a fraudulent document” “fraudulently submitted” to the court by the District and suggests that because a

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