

United States Court of Appeals

FOR THE DISTRICT OF COLUMBIA CIRCUIT

No. 24-5001**September Term, 2023****1:23-cv-03493-UNA****Filed On: April 8, 2024**

Nickholas Knight, Sr.,

Appellant

v.

Joseph R. Biden, Jr., et al.,

Appellees

**ON APPEAL FROM THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA****BEFORE:** Henderson, Millett, and Walker, Circuit Judges**J U D G M E N T**

This appeal was considered on the record from the United States District Court for the District of Columbia and on the brief filed by appellant. See Fed. R. App. P. 34(a)(2); D.C. Cir. Rule 34(j). It is

ORDERED AND ADJUDGED that the district court's order entered December 13, 2023 be affirmed. Appellant's complaint filed November 20, 2023 and exhibit filed December 11, 2023 were frivolous because they lacked an arguable basis either in law or in fact. See *Neitzke v. Williams*, 490 U.S. 319, 325 (1989); see also 28 U.S.C. § 1915(e)(2)(B)(i) (providing that "the court shall dismiss the case at any time if the court determines that . . . the action or appeal . . . is frivolous or malicious").

Pursuant to D.C. Circuit Rule 36, this disposition will not be published.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**FOR THE COURT:**

Mark J. Langer, Clerk

BY: /s/

Daniel J. Reidy
Deputy Clerk

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

NICKHOLAS KNIGHT, SR.,

Plaintiff,

v.

JOE BIDEN, *et al.*,

Defendants.

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Civil Action No. 1:23-cv-03493 (UNA)

ORDER

For the reasons stated in the accompanying memorandum opinion, it is

ORDERED that plaintiff's application to proceed *in forma pauperis*, ECF No. 2, is **GRANTED**; and it is further

ORDERED that, pursuant to 28 U.S.C. § 1915(e)(2)(B)(i), the complaint, ECF No. 1, and this case, are **DISMISSED** without prejudice.

This is a final appealable order. *See* Fed. R. App. P. 4(a).

SO ORDERED.

/s/

BERYL A. HOWELL

United States District Judge

Date: December 12, 2023