

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

JUDGMENT

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Pursuant to D.C. Circuit Rule 36, this disposition will not be published.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.,)
v.)
Plaintiff,)
v.) Civil Action No. 1:23-cv-03493 (UNA)
JOE BIDEN, *et al.*,)
Defendants.)

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.

Date: December 12, 2023

/s/

BERYL A. HOWELL
United States District Judge